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BY

JOHN ROMEYN BRODHEAD, ESQ.,

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LONDON DOCUMENTS:

IX—XVI.

Solicitor General's Report on the Charter of Connecticut, and on the Grant of New Jersey.

[New-York Entries, III. 11.]

May it please your Lordships

In obedience to your Lordships Orders of the 8th Instant here unto annexed I have considered of the Charter granted to the Govr and Company of Connecticutt, and I have also considered of the Grants made to the Proprietors of East and West New Jersey in America and I am humbly of Opinion that notwithstanding any thing in the said Charter or Grants, that there Majesties by virtue of their Prerogative and Soverainty over those Colonies, which is not granted from the Crown to the Govr and Company, nor to the proprietors by any of the Chartrs may appoint Governors for those places with such Powers and authorities for the Government thereof, and for raising men and furnishing Provisions for the necessary defence of his Subjects and the neighbouring Colonies against their Enemies as their Majesties shall in their great wisdom judge reasonable

And I conceive that the Proprietor of New York may assign his Propriety in New Jersey which is part of New York to others but cannot by any such Grant or Assignment absolutely sever New Jersey from New York but that still it remains a part thereof and dependent on the Govrmt of N: York and lyable to contribute men and provisions for the suppt and protectn of N: York against any Enemys.

13. Feb: 169$\frac{2}{3}$

Tho: Trevor

Governor Fletcher to Mr. Blathwayt.

[New-York Entries, III. 21.]

New York Feb^{y} 14th 169$\frac{2}{3}$

Sir

The papers I send with this will take more time to peruse then I doubt you can spare from Affairs of more weight and moment, they will shew you that I am placed by a very ill neighbour, who while I am labouring to compose and heal the wounds of this Province occasioned by the highest outrages which could be committed by men in the time that Leisler took upon him the Government, S^{r} W^{m} Phips as will appear by these attested copies of a letter from a pardoned Criminal quotes S^{r} W^{m} Phips for author, will shew you the Sentiments and Principalls of that Knight, he has seized upon Martins Vinyard which has ever been part of this Government it is neither named in that Charter nor his Commission, those people hold all their lands by the Seal of this Province and have contributed to Our Publick charge for the defence of Albany, yet I must not levy warr against him, though provoked by his unmannerly Letter to meet him there, which I would chearfully doe, but I hope to see him when without prejudice to their Majesties Interest assert our Resentment.

I hope you will favour me so far as to lett me know if that place be under his Government. I find the Council here, men of the best parts Quality and Estates of any in the Province I cannot name six as may Instructions require to fill vacancys as they fall. It is utterly impossible for this poor decayed Province to defend themselves without help from our neighbours Our Furr Trade is quite lost, our charg very great the neighbouring Collonies acknowledge no Governm^{t} from the Crown, but Harbour all our desserters, rob us of all Trade, by employing no duties, the Act for Navigation not observed or valued

S^{r} I have Express just now from Albany, which say the French and their Indians are upon the march towards Schonadetudy, which calls me from this work, to attend that Service, it is a Curse on these occasions to attend wind and water, yet we cannot march by land, so that I must attend that uncertain motion which I shall endeavour in a few hours. I am

Sir

Yours &^{c}

Benjamin Fletcher.

Governor Fletcher to Mr. Dudley.

[New-York Papers, III. E. 23.]

N. Yorke Jann: 7th 92.

S^{r}

Some time since I returned my acknowledgm^{ts} for yours of Nov 11th and the Bookes you were pleased to send mee I have perused

I am now to tell you after greate paines to quallefie and allay the heates of these people, to which you are noe stranger, I had soe farr gain'd my point (by perswation with some, giveing equall justice to all, forbidding names of distiction and exhorting to unitie) that all things appeared sereen and noe wave to ruffle, noe cloude to obscure our peace; the face of love was not moore smooth.

But on a suddine I heard from all parts of severall meetings, violent expressions, with reflections on some of the Councell, demands of reperation for Lesliers bloud &c soe suddaine a storme surpriz'd mee, while I was considering and beating my thoughts about it, Providence directs the originall letter of which I send youe a Dutch and English coppy, into my hands. By which it appeares, if what is theer asserted bee trew, that your Governr is the incendiary or rather the bellows that blows up the dying embers of former discontents.

How suttable this is to the trust Their Majesties repose in him, and howe much it conduces to theire Service will best appeare when the matter comes before them in Councell. It is utterly impossible for mee to heale and accommodate things according to Theire Majesties cômands and my owne native temper, while that Knight gives countenance and encouragement to those actions, the punishmt of which theire Majesties in Councell have allowed as legall. I send you a coppy of what I though fitt to say to that Govr and am

Your most humble Servant

BEN: FLETCHER.

(Endorsed)
"7. Jany 9⅔
"Coll. Fletchers letter
"to Mr Dudley."

Governor Fletcher to Sir William Phips.

[New-York Papers, III. E. 24.]

7. Jan 169⅔

Sir

I send you the coppy of a letter writt from Boston by one Abraham Governeur. I have caused it to be translated and send you both the Dutch and English coppies.

Possibly you may not know the person, but the ill consequence which this letter has produced, being sent from one hand to another of ye discontents in these parts of their Majesties dominions, and your name being used as a voucher to what he asserts I thought myself obliged to lett you know, if the things alledged be true, you have forgott your duty to their Majesties and your manners to Gentlemen.

If you have not discoursd these things to that fugitive who has fled from this Province, after conviction and sentence passed on him [for] murder, and what he says be fictitious, invented by himselfe; you will think fitt for your own vindication to secure his person and return him to this place, being that of his former residence and from whence he has fled with apparent designs of disturbing the peace of this government.

I hope you will think itt reasonable to give me satisfaction in a matter of this moment, wherein the cheife concern is their Majesties service

I am Sir

Your Servt

B. F.

a true coppy
D. H.

(Endorsed) Copy of ye Governr
Coll: Fletcher to Sr W. Phipps.

Abraham Governeur to his Parents.

[New-York Papers, III. E. 25.]

Boston 12. Octob: 1692

Worthy Father & Mother, greeting

I hope that my two last letters came to your hands, and having now an opportunity I durst not omit letting you know how things are here, as also the sad mischance of little John and his Son; they were afloat again from that place where they first drove on shoar, but were cast away on Nantucket Shoales and both drowned; all my cloathes, linnen, silver pocket book, and bookes, all is lost, so that I have nothing but two Shirts and one cravat. Therefore I earnestly desire that you please as soon as possible to send me my gold ringes or the vallew in money, as also some shirtes, and presse Mr Beekman either to send mony to go over to England, or some mony to remaine here. I had no clothes but that old black coat, & waiting for little John, I had not yet bin with the Governour; but last week I sold my gold, the smallest of the hatbands, and have earned a little money here, so that I was advised to buy a suit, and I have bought me a new suit of very fine cloth, with appertainences; it cost me about six hundred gilders. I would have made me a worse, but I must be every day in company with the great ones. I wait but for news from home and the mony of Beekman. I must then furnish my self with all things; for it is here already very cold, it freezes almost every night. Yesterday I went to the Governour and presented him with what I had translated out of French (of which I would send a coppy but is yet forbidden.) It was done by severall other hands, but mine was accepted, and he gave me thanks. It will be speedily in print and then I shall send it over. Then I made myself known to him who I was, and told him what had passed at York. When I began he left all the Gentlemen that were with him & went into a room with me and I told it him. He said, this old King James Councill that is at York spoiles all, and they must be out; the Governour is a poor beggar and seekes nothing but money and not the good of the country; but there is yet hopes, Mr Manley your lawier in England is chosen Parliament man and your cause will be inspected there to some purpose and I doubt not but ther will be sattisfaction for estates, and I hope (for it would be pitty it were not) for blood also; for if what Govr Leisler and ye have don be ill, how comes their Majesties to sit upon the throne. We had some other discourse, and at last he said to me: You are heartily welcome, if you go to England I shall assist you, and if you will carry my letters to the King you will serve me. I answered yes, very willingly. He said to me again, if you go not, you are nevertheless welcome, and let me know it that I may take care for you; and when you receive any letters from York, let me know it, and I desire to know wherein I can further your cause in England and it shall be don. I thanked him kindly, and would have desired of him letters of recommendacôn, but he was hindred, and told me that within twelve dayes he would send for me to discourse with him two or three hours. I have bin with severall of the Councill and they all say the same. The Lord God move all our people to do their utmost. Not elce at present, but with hearty Salutacôns to all our friends I remaine

Your duty full Son

Abrah: Governeur.

Let Mrs Leisler read this letter as also Mr Beekman, greet them all together. I would have writ to them but must within half an hour go to severall of the Councill, and I knew it but an hour since. Keep all secret by all means.

A. G.

Receive 50 Gilders of Doctr Staets according to the inclosed and send it me with the first. If a Sloop come send me a barrel of pickled oysters: send also 2 Stooves, let it not be omitted

A. G.

A true translation from the Dutch Original
M. Clarkson Sêcry.

Abraham Governeur to Governor Fletcher.

[New-York Papers, III. E. 46.]

Boston 20th Jany 169$\frac{2}{3}$

May it please yor Excellencye

I am informed by Mr Clarke's message frô your selfe to his Excell: Sir William Phipps of your demands to have sent me to New Yorke a prisoner for the writeing of a certaine letter ye contents whereof are construed by your selfe, as ye words of His Excell: to me. I doe prsume ye originall is not well examined, for if any such matter be written it is wht I have been informed of by others & not relateing to his Excell: Yow are also pleased to term me a fugitive from ye hands of Justice, wch by an order from your self and Councill dated ye first of Septr last is contradicted, wherein you were pleased to insert that my selfe and others ye prisoners were sett at liberty by virtue of Her Majesties Order in Councill dated ye 13th May last, directed to your selfe. Haveing noe more at present I remain

Yor Excell: humble Servt
Abrah Governeur.

a true Copy pr
M. Clarkson Sêcry

Sir William Phips to Governor Fletcher.

[New-York Papers, III. E. 47.]

Boston the 27th Jany 169$\frac{2}{3}$

Sir

I have sent you severall letters since your arrivall at New York, and have been induced thereto because I did hope a good correspondence might have been maintained between us in things that concerne their Majestyes governmt and interest and the good of their subjects but your aversion to soe good a purpose does sufficiently appeare by your contriveing wayes to prevent such a correspondence. You want some person of understanding to read over that letter you sent me a copy of, distinctly, that you may see ye coherence of one sentence with an other, and how to make true stops. The want of this hath occasioned your misapprehension of ye sence, whereby you make yt in ye discourse to Mr Governier, wch he gives as his owne

opinion and character of yow. Butt I neede be at noe paines to make yow rightly understand the sence, because noe part thereof concernes mee, as appeares by M^r^ Governier's letter unto you herein inclosed. I see noe cause to deliver M^r^ Governier unto your Jayler for I have examined him concerning his being sett att liberty, and it appears by a certificate frō the Clark of your Councill by your order given that in pursuance of the Queen's cōmand you were obliged to lett him out of prison.

Yowr absurd abusive letter plainly demonstrates that if (as yow say) I have forgott manners to Gentlemen I have forgott what you never had. I have observed my duty to their Majesties upon all occasions, and in particular by my letter to yow wherein I desired to know how farr yow can contribute to our assistance in the Spring if their Majesties are pleased to order a squadron of Frigatts for an attaque upon their enemyes att Canada; but instead of an agreeable answer and your concurrence in soe just and good a designe w^ch^ is soe much for their Majesties hono^r^ and the good of the English nation (w^ch^ might have been expected from a person in your station) you send a herauld to give mee a challenge to meet yow in the spring at Marthas Vineyard, w^ch^ by force yow intend to take y^e^ governm^t^ of, notwithstanding their Majestyes grant by their royall chartar, whereby the governm^t^ thereof is annexed to the Province of y^e^ Massachusetts Baye; and your jayler hath been as insolent in delivering this challenge from yow (w^ch^ he saith is by your positive order) as yow have been inconsiderate in directing him soe to doe. For that difference (if any) is not to be decided by yow alone. However if yow are soe resolved yow may expect me att Marthas Vineyard in the Spring to assert y^e^ power wherewith their Majesties have invested me; w^ch^ if yow think fitt to dispute, I shall take such measures to defend as yow may not like. I have noe more to add, but that I am sorry Their Majestyes affairs are like to suffer by y^e^ humours of some persons (yowr advisers) who without duely regarding their duty to Their Majestyes put yow upon useing Their Majestyes names as a colour for their private designes, a thing too mean for any who bears their Royall commission to hearken unto, and must be attributed to forgettfullness of y^t^ duty and respect that their most Sacred Majestyes cōmand, w^ch^ you have unjustly charged me w^th^ in your letter.

Sir I am yours

WILL: PHIPS

a true copy

p^r^ M. CLARKSON Sēcry:

Major Ingoldesby to Governor Fletcher.

[New-York Papers, III. E. 50.]

May it please yo^r^ Excellency.

I would have given yo^r^ Excell. an account by an express last Wednesday the 8^th^ instant of the approach of the five hundred and fifty of the enemy viz^t^ 350 French and 200 of their Indians to the Maquas Castles which we had by a youth that was taken at Schenectady 3 yeares agoe and made his escape from them just as they were to fall upon the two first Maquaes castles an hour before day, but did expect they would have attacqued this place, soe that the businesse would have bin over before yo^r^ Excell. could have advertisement. They continue there still as

our skouts give us daily intelligence. I fear they are about to compell our Indians to a peace or else are fallen upon the third Castle of the Maquaes because we can have no account from them in what condicôn they are, notwithstanding we have skouts out thither. There are 40 Maquaes (all we can hear of) gone out with tenn christians to watch the enemys motions and are impatient that a party of christians doe not joyne with them to engage the enemy, which I thought not adviseable soe long as they are soe advantagiously posted in such a Fort: but assoon as they remove from thence and we can have any Indians down, have thought fitt with advice of all the commicôn officers (whom I called together to consult about the matter) to dispatch three hundred men out of the fusileers & inhabitants, to pursue them; for which purpose have bread baked and provisions ready which I send to Schenectady to morrow. I immediately upon the news, commanded all the farmers in, who readily obeyed, & sent fifty men to Schenectady to reinforce that garrison, & upon a view of all the forces to day, doe finde in fort and towne, with Schenectady, about six hundred men. It seems the enemy dispair of going home by ice & therefore make noe great haste. I know not but yo^{r} Excell: may have an opportunity with the first sloops to send up some men, I wrote to Esopus to send us what men they could spare, and have an answer just now that Capt: Demyre comes with fifty men, whom I expect to-morrow. I sent the Mayor to Schenectady on Thursday last to send out skouts continually and to pacify the Indians who are much concerned and think we slight them; and indeed I dare not tell them the reason of not sending out men soe fast, because they were always made believe we were stronger than we are; these frontiers being just mann'd for defending them and not to spare soe many as to goe out and engage such a body of men soe farre off. I can give yo^{r} Excell: noe further account at p^{r}sent, only designe to keep them in alarm when they come out and gall them in their march, but not to engage them except upon advantage, since their design is doubtless desperate and not well furnished with provisions, except what they have found in the castles. I expect to have our post (which we sent to New Yorke) in, every day, thinking long to hear of your Excêll & Ladyes welfare. I am

Yo^{r} Excêll
Most obed^{t} Servant
RICH: INGOLDESBY.

Albany 11 Feb: 169$\frac{2}{3}$
10 oClock at night

I expect to hear from yo^{r} Excell: with all speed.

Come to hand Feb^{y} 14th early in the morning. His Excell imbarqued 3 oclock afternoone same day with 150 men

A true copy
M. CLARKSON.

Thomas Clarke's Account of an interview with Sir William Phips.

[New-York Bundle, S. P. O.]

Jan. $169\frac{2}{3}$

Being by his Ex^{cy} Benj^{n} Fletcher Govern. of New Yorke sentt as a messenger to S^{r} W^{m} Phips Governo^{r} of Province of Massachusetts Bay wth lett^{rs} for His Maj^{tys} service

Sett out from New Yorke y^{e} 7 Janua: $169\frac{2}{3}$ and upon Monday y^{e} 16th ins^{t} aboutt 4 of y^{e} clock in the afternoone I applyed my Selfe to y^{e} Hon^{ble} Coll Joseph Dudley and Governo^{r} Usher att Boston att S^{d} Ushers house, where after I had presented lett^{rs} from his Ex^{cy} Coll: Fletcher Governo^{r}, directed to themselves they showed themselves extraordinary ready to serve his Ex^{cy} Coll: Fletcher and while together S^{r} W^{m} Phips (haveing ben gon to Roade Island) came to town, there Hono^{rs} sentt a person to S^{r} W^{m} Phips to acquaintt him there was an express come from his Ex^{cy} y^{e} Govern^{r} of New Yorke, who was recommended to them to introduce him into his presence, desiring to know whether they might waitt on him this evening or when, he returned an answer to morrow morning att 9 of y^{e} clock. Att w^{ch} time I waited upon him wth his Hono^{r} Jno: Usher, and soone after our being admitted Coll: Dudley came to town, though very stormy. His Hono^{r} J. U. acquainted His Ex^{cy} y^{tt} he was desired by Coll Fletcher to introduce me into his presence. I then acquainted His Ex^{cy} I was come express to him, and soe d'd his lett^{r} in p^{r}sence of his Hono^{r} J. U., Joshua Moody and one Jackson y^{e} Govern^{s} clerk. Sir W^{m} Phips opened y^{e} letter and gave his clerk Governeurs letter w^{ch} being in Dutch S^{r} W^{m} Phips said there was need of an interpreter. I acquainted him itt was translated into English. After y^{e} lett^{r} was read, I demanded Abr^{m} Governeur. He said, should consider of itt, & then reflected upon Governo^{r} Slaughter, Major Inglesby and our present Governo^{r} highly justifying y^{e} acting of Leisler, saying if he had delivered y^{e} fourtt to Major Inglesby he had deserved to be hanged. I told him for nott doing of itt he was hanged. He told me if Slaughter had lived, he mustt have held up his hand att y^{e} bar for putting Leisler and Milborne to death. I made him for answer, if he had itt would be for not hanging of them all. I required his answer to Martins Vinyard. He said he had sentt one alredy. I required another, for his Ex^{cy} Fletcher had rec^{d} none. He then fell a railing att Governo^{r} Nicholson, saying he had never done a good action in his life. I replyed, I never heard of a bad one, and said y^{e} King knew him to be a better man. He then said y^{e} King did never know him, he was recommended by some courtio^{r}, and did seem to reflectt upon those att Courtt att home, as if persons were putt in places of trust w^{ch} were nott for theire Maj^{tys} service. I acquainted him I had orders from his Ex^{cy} Govern^{r} Fletcher to signifye to him thatt he intended to be att Martins Vinyard early in y^{e} Spring before he wentt to Albany. S^{r} W^{m} Phips making some pretence y^{tt} Martins Vinyard was in there Charter I acquainted him y^{e} Governo^{r} of N. Yorke would be glad to see him there. S^{r} W^{m} Phips ask'd if I came to challenge him. I replyed I came to deliver my message w^{ch} I had done. He asked if I had any such orders. I did tell him I had private instructions for my selfe, w^{ch} I would nott shew him, nor any other. He told me if they were my own words I was an impudentt fellow. I told him I thought soe to, butt y^{e} words were nott mine. S^{r} W^{m} Phips did tell me he did take y^{e} words as a challenge and would certainly meett wth Governo^{r} Fletcher I told him he might interprett y^{e} words as he pleased. He did tell me if He did here Governour Fletcher was att Martins Vinyard he would take him prison^{r} if itt cost him 2^{d} and he would have cause to repent of itt. Many reflections he did throw upon Governo^{r} Fletcher, saying he would doe his business att home, an y^{tt} he would nott

be long att Yorke, & y^{tt} he was short livde; and wentt on vindicateing of Leisler. I told him y^{e} King and Councill were of another mind, haveing given judgm^{tt} they were legally tryed condemned and executed. He told me he knew better, and he knew there was noe such judgm^{tt} He knew well enough how things were acted & carryed on. I told him Coll: Fletcher broughtt itt over. He told mee itt was a falce thing. I told him I was suer he did bring over noe falce paper. He said he was sure he had. I demanded again y^{tt} Governeur mightt be seized & delivered me, according to Governo^{r} Fletchers lett^{r} he being und^{r} sentence of condemnation and runn away, and had occasioned a disturbance of y^{e} peace of his Maj^{tys} subjects. He said he would take itt into consideration and speak with him, and then give me an answer. I acquainted him Governeurs letter reflected upon him selfe; nott withstanding all w^{ch} he did nott condemn y^{e} person for writeing nor disowne the matter of factt butt said itt was the business of y^{e} King's Governours to actt whatt they could ag^{tt} y^{e} comon enemy. S^{r} W^{m} Phips declared y^{tt} Governo^{r} Fletcher had orders from the Queen to release y^{e} prisson^{rs} butt contrary thereunto keptt them prisson^{rs} while he forces them to petition.

THOMAS CLARKE.

Narrative of Conference between Sir William Phips and Captain Clarke.

[New-York Papers, III. E. 49.]

A narrative of what conference happened between S^{r} Will^{m} Phips & Capt: Clarke at Boston.

The next day after my arrivall at Boston being the 17th of Jan^{y} 169$\frac{2}{3}$. I wayted on S^{r} W^{m} Phipps and tould his Excell. I was sent express to him by his Excellency the Governo^{r} of New Yorke, giveing him his letter in the p^{r}sence of Governo^{r} Usher, Joshua Moody and the Governo^{rs} Secretary or Clarke. S^{r} Will^{m} after he had opened the letter, takeing out the letter of Governeer being in Dutch, he said there was need of an Interpreter; I tould S^{r} William I did believe it was translated into English. After this letter was read I demanded Abraham Governeer to be delivered to me, that I might take care to send him to New Yorke. S^{r} W^{m} tould me it was a thing to be considered, and that if Governeer had done any wrong Coll: Fletcher might prosecute him at Boston, and as for what he had formerly donn, he was pardoned by the Queen and Councill, which pardon Coll: Fletcher had brought over with him, but instead of giveing the prison^{rs} the benefitt he kept them in goale, till he forced them to signe against their wills to that they were never guilty of in the least wise. He reflected extraordinarie upon Governo^{r} Sloughter, Major Ingoldesby and his Excellency Governo^{r} Fletcher, highly commending the actions of Jacob Leysler and Jacob Milborne, saying if that they had delivered the fort to Major Ingoldesby they had deserved to be hanged. He tould me if Sloughter had lived he must have held his hand at the barr, for hanging Leysler and Milborne; that there was severall Governo^{rs} sent abroad that did not minde their Majesties interest, and that Governo^{r} Nicholson was an ill man and had never donn a good accôn in all his life. I tould him I never heard of any ill that ever he did, and I supposed their Majesties knew him well before they sent him to Virginnia. Sir W^{m} said their Maj^{ties} did not know him, but that

he was recommended by some that ware about their Majesties, who for money gott in many that were not for the Kings interest. He knew how things went at home, and many other reflecting speaches he had concerning those aboute their Majᵗⁱᵉˢ I tould I was ordered by his Excéll. the Governoʳ of N. Yorke to demand his answer, relateing to Marthins Vineyard. He tould me had sent one already. I tould him it would be well taken if he pleased to send the coppy, for I believed the other did not come to hand. Soe he fell to vindicate Leysler and Milborne againe & reflected much upon his Excéll: Coll. Fletcher, saying he would doe his buissiness at home, and that he would not be long at Yorke, and that he was short liv'd; he tould me that the accôns of Major Ingoldesby were much condemned at home, I tould him it seemed otherwise by the Order in Councill wherein the Lords give their oppinnion that they were legally condemned and executed. He tould me he knew better, for that at first Major Ingoldesby makeing greate friends before Leysler's sonne came home, he ran farr, but after Leysler's sonne came home the currant ran the other way, and that there was noe judgemᵗ that they were legally executed. I tould him I saw a coppy: he said it was a forg'd and falce paper. I tould Sʳ Wᵐ I was to acquaint him that his Excellency the Governoʳ of New Yorke intended to be at Martins Vineyard early in the Spring, and that he would be very glad to meet him there. Sʳ Wᵐ askt me if I were come to challenge him. I tould him noe, but to deliver my message, which I had done. He askt me if I had any such instructions. I tould him, yes, or elce I should not have given him that account. He would have seen them: I tould him they were for my direction and not to show to his Excéll. He tould me if the words were my owne I was an impudent bould fellow, and sayd he tooke the words as a challenge, and would certainly meet Governoʳ Fletcher, I tould him I had delivered my message, and he might interprett them as he pleased, but I sawe noe harm in them. He tould me if he heard Governoʳ Fletcher was at Martins Vineyard he would take him prisoner if it cost him two pence. I tould him I hoped that his Excêll. would be pleased to give me an answer relateing to the matter of the Vineyard, and alsoe deliver Abrâ: Gouverneer. He sayd that to the matter of the Vineyard he would send an answer, but for Gouverneer he refused to deliver him: and for that time I tooke my leave.

The 19ᵗʰ of Janʳʸ the Marshall came and tould me I must appeare before the Councill; upon my comeing in Sʳ Wᵐ ordered me to relate the message that some time before I had delivered to himselfe. I tould his Excellency I was not sent to the Councill but to himselfe to whome I had delivered my message, and had nothing to move to that honᵇˡᵉ Board. Sʳ Wᵐ demanded my instructions I tould him I could not be soe unfaithfull to my master who had sent me. He tould me he would cômitt me till I did shew them. He tould the Councill that I had challenged him to meet Governoʳ Fletcher at the Vineyard; upon which I tould the Councill I understood noe challenge in the words, I onely tould Sir Wᵐ that Governoʳ Fletcher did intend to be at Martins Vineyard in the Spring and that he should be glad to see Sʳ Wᵐ there. He tould me the Governours impertinent letter hinted as much. Sʳ Wᵐ spoak to the Councill that I might be cômitted, & ordered the Marshall to take me into his custody and carry me into the next roome; which he did. In about half an houre I was called in before the Councill, and Sʳ Wᵐ tould me I was discharged for the pʳsent, but must attend the Councills farther order.

The 26ᵗʰ I went to the Town House where the Councill satt, sending word by the doore keeper that I was belowe to attend his Excellency and Councill according to his order, and allsoe desired to knowe if any thing were moveing in answer to whatt I came about, and

towards my dispatch. The doore keeper brought me word that S^r^ W^m^ was busie in Council and would desire me to waite upon him some other time at his house, where he had something to say and deliver to me.

The 28^th^ I went to S^r^ W^ms^ and sent him word I was come to waite upon him. S^r^ W^m^ came to me I tould him according to his order I was come to waite upon his Excellency, and to receive his answer and letters to his Excellency the Governo^r^ of Yorke. He tould me he had onely writt one letter, and that was all he intended to send: for he had writt foure before to Yorke, but had received noe retourne but a brawleing scoulding impertinent letter, and noe wise relateing to the Kings buissiness; therefore he would write noe more concerneing that matter, but something in answer to his quarrelling letter. Then he tould me he had heard in London that Coll: Fletcher was a gentleman and a good souldier, & that he was advised to consult him in the matter of Canada, to which end he had sent foure letters. I tould him I never heard of the arrivall of any, but I doubted not but his Excellency knew who they went by. He tould me he sent one by Coll: Dudley; which I acquainted the Coll: of, and he protested he sent none by him. In some of his letters, S^r^ W^m^ tould me, he had left it to the Governo^r^ of Yorke to appointe the place of their meeting, but that Coll: Fletcher slighted it, and he would retourne an accompt thereof home. Then he tould me he scorn'd to speake against Coll: Fletcher behinde his back, for he was afraid of noe man. I tould S^r^ W^m^ that his Excellencie knew best whether he had or noe, but it was my oppinnion that all men of sence would beleive that S^r^ W^m^ had spoke the words Abrâh: Governeer writt, because S^r^ W^m^ did not punish Governeer for writeing soe gross a lye of him or elce to send him to New Yorke to his Excell: the Governo^r^ who had sent me to demand him. He made me noe answer to that, nor in all the time of my discourse did he seeme to denye the words y^t^ Abrâh: Governeer writt. He tould me if I was not come upon their Maj^ties^ service, he would have made me the sevearest example that ever was in New England. I tould him I did not doubt but being a free born borne subject I should have the benefit of the law, being in an English Province. He tould me yes and the extremity thereof. I tould him I had noe dread upon me, neither would I be frighted from doeing my masters buissiness who had sent me, and I was of oppinnion all this discourse was much besides the buissiness I was come aboute, therefore I pray'd his answer relateing to the Vineyard. He asked me when I intended to goe. I tould him next Tewsday at farthest. He bid me come when I would and I should have his letter for 'twas ready. I tould him I was ready to receave it now if His Excêll: pleased and had nothing elce to wait for, but his Excellencyes dispatch, for which I had waited above tenn dayes. He tould me I must come in the morneing before I went. I tould him I should be gonne early before His Excellency would be stirring, but if he pleased I would waite upon his Excellency on Munday night. He bid me doe soe; and sundry times spoke in the favo^r^ of Barry and Gouverneer, telling me he would beleive them before me, and very much speaking in favo^r^ of Leysler, condemning Major Ingoldesbey and Governo^r^ Sloughter.

The 30^th^ Jan^ry^ about five a clock, the Councill being broke up I went to S^r^ W^ms^ house alone, and he standing upon the steps of his house I tould him I was come to waite upon his Excellency for my dispatch towards Yorke. He tould me his letter was ready and gave it me. I prayed an answer relateing to the Vineyard. He bid me tell Governo^r^ Fletcher that if he came to Martins Vineyard to medle with the governm^t^, he would take care to secure him that he should never retourne back againe—I asked S^r^ W^m^ if I should retourne this for his answer to the buissinesse of the Vineyard. He tould me yes. S^r^ I shall be shure to doe it; soe you

had best, said S^{r} W^{m}. I againe demanded Governeer to be delivered to me that I might see him to Yorke. He tould me noe, I ask't him if this was his result. He tould me he was none of Governo^{r} Fletchers goaler — I tould him I hoped his Excellency would hono^{r} me with a pass. He tould me noe he should give me none.

THO: CLARKE

New Yorke the 15th of February 169$\frac{2}{3}$

Then Capt: Thomas Clarke appeared before Fred Philips Esq^{r} Stephen Courtlandt Esq^{r} & Chidley Brooke Esq^{r} and made Oath upon the Evangelists that this narrative is true in every part thereof.

FREDRYCH FLYPSE
CHID: BROOKE
S. V. CORTLANDT.

The King to Governor Fletcher.

[New-York Entries, III. 85.]

W. R.

Trusty and welbeloved wee Greet you well, Whereas for the defence and Security of our Plantations in America and for annoying the French in those Parts, We have caused a Considerable Squadron of Ships, Consisting of Six Frigatts and two fire Ships, with land Forces on board to be fitted out and directed them to sail from the Charibee Islands so early as to be by the end of May or the middle of June at farthest in New England, there to refitt and take with them such assistance and Supplys of Ships men and Provisions as shall be provided in those parts to attack the French in the River of Canada and to destroy or take Possession of the Towns and habitations there belonging to the enemy, In order whereunto we have directed Our Trusty and Welbeloved S^{r} William Phips Kn^{t} Our Governor of the Massachusetts Bay in New England, to represent these Our Gracious resolutions to Our Councill and Assembly of that Province, that they may do all that in them lyes for the getting ready of Ships and men and all necessary Provisions against the time of the arrivall of our said Squadron to be employed and made use of by them, jointly against the French in such manner as shall be agreed upon and determined by a Councill of Warr, and whereas the assistance of our Colony of New York may very [effectually] contribute to this undertaking, Wee do hereby charge and require you to consult and advise with our said Govern^{r} of the Massachusetts Bay or such Persons as shall be commissionated by him for the carrying on Our Royall Purposes as above express'd and the common good of Our severall Colonies in offending and annoying the Enemy by Land as well as by Sea, wherein you are to use your utmost Endeav^{rs} in such manner as shall be thought most conducing to Our Service, And so Wee bid you very heartily farewell. Given at Our Court at Whitehall this twenty third day of February 169$\frac{2}{3}$ In the fifth year of Our Reign

By His Majes^{s} Command
NOTTINGHAM

Governor Fletcher to Mr. Blathwayt.

[New-York Entries, III. 19.]

Sir

I was called from my last by the accts of an in fall the French and theire Indians had made, on the out Skirts of this Province of which I send you a narrative, and I still beg your Friendship Countenance to this poore part of the English Empire

S^r^ our Neighbours on the Right and left sitt at ease, they Govern by theire own Fancies, Connecticutt full of people keep up a Comônwealth, Power oppress the better sort who dessent from them but will not send a man or Sixpence to our releif.

And from that Collony I could march up men dry foot to Repell our Enemies, from hence we have a voyage of fifty leagues to Albany, In my absence the Councill here writ to all the Neighbouring Collonies for men or money, the Republick of Conecticutt quarrell att the Superscription of the Councells Letter for want of theire proper Tittle. From Pensilvania they say they have nothing to send us but theire good wishes. East Jersey has sent us £248 and promiss to make itt £400 those remoter Collonies I have not yet heard from. Wee have quite lost Our Furr Trade. we pay ten p^r^ cent for money borrowed to carry on this war, and no prospect that I see of paying the principle, The Fort of this place quite out of Repairs dropping down, So are the buildings especially the Chappell, nothing in my sight but an addition of Connecticutt and some other Colonys can support us by paying equall duties to the Crown, the Acts for Navigation are wholy violated by these out lyers.

I humbly beg that Arms for two Troops of Dragoons may be sent over, they are of great use on our Frontiers.

Two Companies more of Foot where of one for Maj^r^ Schuyler who has behaved himself well understands the Indian Language and their way of fighting, would encourage and strenghten these dejected and dispiritted people, though the French were beaten they are not sattisfied that one man gott off, and had our Indians been true to us, 'twas next to impossible that a man of them should have Escaped.

S^r^ we cannot send our Acts of Assembly and minutes of the Councill, till a Ship go from hence. I send this to Boston in hopes of a passage from thence if S^r^ William Phips do not intecept it. I am S^r^

Yours &^c^

BENJAMIN FLETCHER

New York
8 March 169$\frac{2}{3}$

Journal of Governor Fletcher's Expedition.

[New-York Papers, III. E. 51.]

A journal of the expedicôn of His Excêll: Ben: Fletcher Capt: Generall & Governour in Cheife of the Province of New York, to the fronteers, against the French & Indians of Canida.

169⅔ Feb. 12. Sunday about 10 or 11 a clock at night an expresse from L[t] Col Beeckman of Ulster County gave his Excêll. an account of advice from Albany, of the French and Indians consisting of 550. being within 20 miles of Schenectady on the 8[th] instant, an hour before day, ready to fall upon the 2 first Castles of our Mohogs. Whereupon his Excêll ordered the Col: of the Militia of the City of New Yorke to draw out his regiment next morning.

13[th] Munday. Orders were sent to Col. Courtlandt of Kings County and Coll: Willet of Queen's County to detach out their regiments 150 men to be forthwith ready to imbarq at the ferry.

About 8 a clock morning the City Regiment being under arms his Excêll. on horseback at the head of the regiment demanded who were willing to follow him to the fronteers against the enemy: they unanimously threw up their hatts crying one & all. Upon which the Coll: was ordered to detach 150 of the fittest men, to be under the command of three captains with their Subaltern Officers ready at the first beat of drum, & dismisse the regiment.

About 10 a clock his Excêll: did send the expresse forward to Lieu[t] Coll. Beeckman with orders to gett all the horses in the County of Ulster together in readynesse to carry his Excêll. & the detachments to Albany from Kingston, by land, in case the river were not open, and to forward any confirmation of the news to his Excêll: which he expected before he did intend to imbarq.

14 Tuesday. By break of day an express from Major Ingoldesby confirming the former news and that the two first Castles were taken by the French and Indians. Whereupon eight Sloops were ordered with necessary provisions and ammunicôn to goe round the Fort and be ready to saile and the detachment of the City Regiment did immediately imbarq about 4 a clock afternoon; the tide offering, his Excêll. attended with the Officers of the detachment & severall volunteers, did imbarq and sett saile.

17[th] Friday About 9 a clock his Excêll. arrived at Albany (being 50 leagues distant from New York) with 5 of the sloops, having mett much ice in the river which gave some difficulty: the rest arrived towards evening. As soon as they came on shoare his Excêll ordered Capt: Schuyler to march 50 of the men to Schenectady about 11 a clock his Excêll: followed with 16 horse leaving instruccôns with Coll: Bayard to forward all the rest of the detachments, as they did arrive, towards Schenectady without losse of time together with the ammunicôn & provisions.

About 3 a clock afternoon His Excêll met Major Ingoldesby about 8 miles from Schenectady on his returne from Albany, having gone from thence that morning to visit Schenectady. His Excêll: arrived at Schenectady (being 20 miles from Albany) about 5 a clock.

9 a clock at night Captain Schuyler with his men arrived & found provisions and lodging in readynesse.

18[th] Saturday. By break of day the men were ready to be transported over the river, but a violent storme did hinder their transportacôn 'till afternoon & sundry Indian women loaden with provisions were sent along with them.

This day about noon Majr Merrit with the rest of the City detachment did arrive at Schenectady and were immediately furnished with quarter ammunicôn and provision ready to march next morning.

19th Sunday. By break of day the rest of the forces that were fitt to march did attempt to get over, but great quantityes of loose ice did hinder them, till about tenn a clock the ice setling, they got over it on foot, which in two hours after was dispersed and the river open again. This party caryed a further supply of provisions and ammunicôn.

20th Munday. By break of day those of the City detachment who were not able to march the day before being refreshed, His Excêll: detached from the garison of Schenectady soe many as made them 42, who did immediately march with 13 horses loaden with provisions & ammunicôn.

About 2 a clock afternoon arrived at Schenectady Captain Stillwell with the detachment of King's County consisting of 50 men who were ordered to refresh themselves 'till next morning, and three horses with provisions ordered to be in readynesse to attend them.

21st Tuesday The horses being caryed over the river and the men ready to be transported, came an express from Major Schuyler giving intelligence of his being neer at hand on his returne, who arrived about 4 a clock afternoon: upon which the men & horse were remanded and sent back to their homes.

There marched by his Excêll: order from Schenectady to joyne Majr Schuyler since his Excêll arrivall there 208 effective men besides guides and caryers of supplyes, with considerable quantityes of provisions and ammunicôn which are since returned.

22th Wednesday. His Excell returned for Albany accompanyed with Majr Schuyler and severall of the forces come from pursuit of the enemy, and arrived about 3 a clock afternoon. His Excêll: did order Major Schuyler with some other Officers to give the journall of their accôn in the woods.

4 a clock arrived Coll: Willet at Albany with 120 men from Queenes County, who were next morning remanded home to their habitacôns, together with the rest of the detachments.

At night his Excellency sent to call those Indians that were returned from the fight, to meet him next morning at Albany.

23th Thursday. A proclamacôn issued requiring all the out farmers to draw themselves into neighbourhoods for their better security against the sculking enemy.

24th Fryday. His Excêll recd an address from the Corporation of Albany congratulating hi safe returne, and returning thanks for his early assistance with his personall prsence for their releife &c.

25th Saturday. The Indians being arrived last night & giving their attendance this morning, his Excêll: being accompanyed with the Magistrates of the City and the Souldiers and militia in arms, came to the City Hall and made his speech to the Indians, which was interpreted to them by the Interpretesse Helle.

In the afternoon they gave their answer to his Excellency, the same Interpretesse.

26th Sunday. About 8 a clock in the morning 4 of the Cheif Sachems came to his Excellency with some further propositions, which he did immediately answer to their satisfaction.

27th Munday. His Excell: caused a proclamacôn to be published prohibiting the selling of rum to the Indians and did imbarque for New Yorke, where he arrived Thursday morning following, and was received with such expressions of joy and thankfullness the place could afford.

We underwritten have compared our particular journalls and do attest this coppy to be true. In New York 7 March 169⅔

N. Bayard.
Charles Lodwik.

Major Peter Schuyler's Report to Governor Fletcher.

[New-York Papers, III. E. 52.]

In obedience to your Excêll: commands with the other officers under my command I give this particular account of our proceedings since the first intelligence of the enemys descent into the Mohogs countrey.

169⅔. Feb: 8th Wednesday. About 2 a clock afternoon we had the alarm from Schenectady that the French and their Indians had taken the Maquas Castles: Soon after we had the news that a young man named Jan Baptist van Eps (taken a Schenectady 3 yeares agoe) was runn over from the French, as they were to attack the first Castle of the Mohogs, and come to Schenectady, who related that the French were 350 Christians and 200 Indians, Major Ingoldesby sent forthwith his warrants to command in the farmers of Captaine Gerrittse and Capt Theunisses Companyes of Militia.

This night Lieut John Schuyler and Cornet Abeel with 55 horse march'd to Schenectady.

9th Thursday Cornet Abeel by express from Schenectady desired that Major Peter Schuyler or Majr Wessels might be sent thither to pacify the Indians who were enraged that nce Christians went out to pursue the enemy: upon which Major Schuyler at his own request was permitted to goe that evening.

As soon as Major Schuyler arrived there he sent out Scouts to spy the forts and the enemyes motion and withall to give intelligence to the Tionondage Indians of the enemyes comeing: but they haveing gone 12 miles in the woods returned about 12 a clock at night saying they could not get over the river.

10th Fryday. Major Schuyler sent Lieut John Schuyler and Lt John Sander with 6 more to view the Mohogs fort that was possessed by the enemy who brought news that the French were in both the forts: of all which he gave advice to Major Ingoldesby at Albany.

11th Saturday. Major Schuyler sent 10 christians and 40 Indians to ly near the enemy and to watch their môcon, who made a small fort to retreat into, and soe spyed what the enemy did.

12th Sunday. News were brought to Schenectady by some of the sd Scouts that they had heard firing at the Maquaes forts, which was supposed [to be] the Tionondage Indians against the French; which news Major Schuyler sent forward to Albany. Whereupon Major Ingoldesby detached about 200 men out of the severall companyes of the Militia, Fusileers, and troop, commanded by Capt Peter Matthews, Capt Arent Schuyler, Capt: B. Phipps Capt. Killian van Renslaer and Capt: Thomas Garton, who arrived at Schenectady about 2 a clock afternoon & joyned Majr Schuyler. The waggons with bread arrived that night.

Thursday last our Scouts had brought in the news that the French were there still and that they had alsoe cutt off the 3d Castle of the Mohogs called Tionondage and that none of the

upper Indians were come downe: all which was communicated to Majr Ingoldesby forthwith, and Majr Schuyler sent to him for orders to march.

13th Munday. This morning having recd noe answer of the last express Majr Schuyler sent another for orders to march, and being press'd by the Indians who threatned else to desert us, was forced to march the men over the river without orders, which came about 4 a clock in the afternoone, when most of the men were gott over the river. This very time we had news by our Scouts that the French had burnt the 3 Maquas Castles and were marched away; which Majr Schuyler ordered Lt Young to signify to Majr Ingoldesby.

We marched 12 miles that evening being 273 Christians, in the night about 10 a clock one of our Scouts came in and told us that 600 of our uppermost Indians were coming down. Majr Schuyler forthwith sent the same messenger that brought us the news, to Majr Ingoldesby, and desired that provision and ammunicôn should be sent after us, not knowing how much the Indians may want.

14th Tuesday. About 1 or 2 a clock in the morning we decamped and marched to the small fort made by our 50 Scouts, about 6 a clock in the morning, where we had advice the enemy were not above 8 miles from us. Upon which Lt Harme van Slyck and 2 Indians were sent to discover the enemy, who brought word they were marched. Two Indians came to us with news that there were 300 of our upper Indians within twenty miles of us; whereupon we sent 2 Indians back to hasten them up, and to let them know we were there to joyne them. We sent out 3 Mohogs to discover the enemy: about 4 a clock in the afternoon we decamped and marched to the place where the enemy had lain the night before.

15th Wednesday. In the morning two of our Indian skouts returned (the 3rd run over to the enemy) who brought us news that they had seen the enemy within 10 miles. Our Indians came up with us about 12 a clock, being 290 men and boys, some armed and some without arms; a consult being had we marched about 4 a clock & encamped alltogether, having marched about 10 miles that afternoon. This night a consult was held and spyes sent out to discover the enemy.

16th Thursday. Early in the morning we marched & having gone tenn miles found the place where the enemy had lain 2 nights before and halted there. An Oneyde Indian came from the enemy, being sent to our Indians to debauch them over to the French, whom wee did not think fitt to send back, being a prisoner taken at Tionondage.

We sent an express to Major Ingoldesby to acquaint him that the enemy had built a fort and were resolved to fight us, and sent for supplies of provision ammunition & men. We marched on towards the enemy and met with one of our wounded Indians, who informed that the enemy staid for us in a fort. Upon which we marched about 2 miles, where a Christian boy Arnout the Interpreter's son, came to us, who had been 3 years a prisoner among the French. He gave account that the enemy were about 600 or 700 men, and within 3 miles. We marched forward to find some convenient place to encamp & to fortify ourselves from the enemy that night. We had scouts out, Christians and Indians, all night, to watch the enemys mocôn; who brought account in the morning that we were within a mile of their fort.

17th Fryday. We decamped and marched towards the enemy with scouts before us, and did not take a direct line, but went round for fear of an ambuscade; about 8 a clock in the morning come in sight of their fort, where our scouts came and shewed us where the enemy lay. Upon which all the officers were commanded to take their posts and make ready to engage,

being 250 Christians and 290 Indians. The enemy seeing us gave three hosaas, which we answered with as many and as loud as they, and made the woods ring.

Our Indians went to work to fall trees and fortifie, but the enemy sallyed out immediately. We engaged them and beat them into their fort. Our Indians fell to worke againe, and desired our Christians to help, which they did. The enemy sallyed out with all their strength a 2d time, incouraging their men, crying they run wee will cut them all off & gett their provisions. We received them briskly and beat them back into their fort with the losse of severall of their men. Our men fell to worke againe about the fort; the enemy sallyed out the 3d time, but were as well repulsed as before & beat back into their fort with considerable loss; our Indians bringing severall of their heads and scalps into our fort. After this the enemy was quiet and we finished our fort. Assoon as this skirmish was over we sent an express to Major Ingoldesby to acquaint him what had passed, praying him to hasten our recruits with provisions & ammunicôn for the greatest part of the men had not had any provision in 2 dayes time. We sent out scouts of Christians and Indians all that night to discover the enemyes mocôn, and lay all night in our fort. It was extreme bad cold snowy weather.

18th Saturday. Being cold stormy weather and snow insomuch that we could scarce see any tract, our scouts came in this morning, which gave account that the enemy were in their fort, some being still popping at our people. About 9 a clock an Indian that left the French in their fort, told us he thought the enemy would retreate, that they were packing up their baggage. Upon which Major Schuyler ordered the Captains to draw out their men to march round the enemyes fort to stop them; but the same time had an account they were fledd: he commanded the Officers to pursue them to hinder their retreate, till men and provisions came up; but the men wanting provisions, refused to march. The officers with 60 Christians and some Indians pursued the enemy till they had made a small fortification, but the Officers not having men to engage them, nor to make a fort, returned, leaving 2 Officers with 40 men and 100 Indians to watch their mocôn, expecting our provisions to come up that night.

19th Sunday. About 7 a clock in the morning we had an account that our provisions were neer at hand, which came up to us about 9 or 10 a clock, with 80 men commanded by Capt Simms, the provisions being immediately distributed among the men; those that were first served were commanded away after the enemy with 5 biscakes a man. About 4 a clock the van commanded by Captain Peter Matthews & Captaine Arent Schuyler came up neer the reer of the enemy, the scouts telling us we were within less than an English mile of the enemy, we desired the Indians to joyne with us and fall upon their reer till the rest of our men came up, sending in the mean time to our people to march in all haste: but the Indians halted and could not be perswaded to march, the Mohogs being most unwilling, because the enemy had dropp'd severall prisoners, who told them that if they pursued them they would kill all their wives and children whom they had prisoners.

After an hours consultacôn of the Indians most of our men camé up. We marched with all speed thinking to overtake the enemy before they gott to the rivers side; but there being a flake of ice in one part of the river and all open above and below, the enemy gott over before we came up. We encamped at the rivers side that night.

20th Monday. In the morning Major Schuyler resolved to march over the river to pursue the enemy, ordering the Officers to gett their men ready for that purpose, but many of the men being wearied with fategue, their shoes quite worn out and provisions scarce, were not able to make any further pursuit; but that which did most of all discourage us is the great

averseness the Indians had to fall upon the enemy because of their wives and children: whereupon we marched back.

21 Tuesday. Upon our arrivall at the frontiers at Schenectady we found your Excellency had been there since the 17th instant with 280 men from New Yorke and more coming up: Yor Excêll: had sent three severall detachments successively with men ammunicôn and provision for our assistance; but we returning another way missed of them.

In this engagement we lost four private souldiers and 4 Indians, two Officers and 12 Christians and Indians wounded; and had an account of some of our Indian prisoners that made their escape, that we killed thirty three of the enemy, whereof we found but twenty seven corps, amongst which was their Captain Commandent and two other officers, with two of their commanding Indians, and six and twenty wounded.

We rescued between 40 & 50 prisoners

We found when we came into the enemyes fort that they had burnt their blanketts and baggage & beat their kettles to pieces to lighten their retreate Since their retreate we are informed by divers of the prisoners who come home dayly, that all our men prisoners, except 5, have made their escape or are sett at liberty, and but few women and children left with them, not being able to carry the prisoners off, by reason of their wounded men, whereof they carry thirteen. The Indians after their naturall barbarity did cutt the enemies dead to pieces, roast them and eat them.

Pr Schuyler
Peter Matthews
A. Schuyler
K. V. Renslaer
Benj Phipps

a true copy
M. Clarkson Sêcry.

Address of the Mayor, &c., of Albany to Governor Fletcher.

[New-York Papers, III. E. 55.]

To His Excellency Benjn Fletcher Captn Genll and Governor in Chiefe of their Majesties Province of New Yorke and Dependencies & Vice Admirall of the same.

The humble addresse of the Mayr Aldermen & Commonalty of the Citty of Albany.

May it please Yor Excellency,

Wee are extreamly sencible of your Excêll: speciall care, not only for the safty & security of this yor Excellencys governmt in generall, but in prticular for the extraordinary reguarde taken for this citty, being the utmost frontier thereof, seated near 150 miles up in the Countrey, whilst the same was attaqued by the enemy of Canida who had surprized and burnt the 3 Castles of or Indian Mohog's, killing diverse of their fighting men & led in captivity upwards of 130 women and children, & that yor Excêll. should within two days after notice received from

hence make that dispatch as to be here soe suddenly with 300 men & sufficient p^r^visions & stores of war for our immediate reliefe; which was more then ever could be expected in this winter season.

Wee therefore out of a deep sence of yo^r^ Excêll. unparelled affection to & care for us, cannot but esteem our selfes highly oblidged to yo^r^ Excellency and begg of you to accept our unfeigned thanks, assureing yo^r^ Excêll. as wee shall never forgett yo^r^ extraordinary care of us, soe wee shall ever admire and beg the continuence of yo^r^ Excellencys benign government over us. And since the Maquase nation is wholley dispersed by the enemyes late burning all their three Castles & our farmers live straggling up & down the country in great danger to be cutt off by sculking Indians, wee pray that yo^r^ Excellency in yo^r^ wisdom will be pleased to order some convenient place where the remnant of the said Nation may be convened together & fortified against any attaque of the enemy, & that the farmers may bee ordered to fortify themselves in Comp^s^ together that the enemy may not have an advantage of them.

And wee humbly begg yo^r^ Excêll to believe wee are always ready to venture our lives and fortunes for Their Ma^ties^ service, the defence of this Province & with all chearfullness & allacrity shall endeavo^r^ when ever it lyes in o^r^ power to demonstrate our true affections to yo^r^ Excellency in p^r^ticuler & to approve o^r^ selves

Yo^r^ Excêll. most dutifull
& most obedient Servants

Peter Schuyler	Mayor
Dirck Wessells	Recorder
Levinus Van Schayck	Alderman
Evert Bancker	Alderman
Rynier Barentz	Assistant
Johannes Roseboom	Assistant

Albany 24 Feb. 169$\frac{2}{3}$

a true Copy
M. Clarkson Sêcry

Governor Fletcher's Speech to the Indian Sachems.

[New-York Papers, III. E. 53.]

The speech of his Excêll. Benjamin Fletcher Captain Generall and Governour in Cheife of the Province of New Yorke and the Territoryes depending thereon in America to some of the Cheife Sachims of the Indians of the Five Nations, convened at the City Hall in Albany the 25^th^ day of February 169$\frac{2}{3}$ after the defeate of the enemy, being drove out of this Province.

Brethren.

It is not unknown to some of you that I came last October into these parts for noe other cause than to secure us and you from the attempt of the French and their Indians, our enemyes & yours.

And in order to this I sent up a supply of ammunicôn artillary and christian soldiers,

sufficient to p^r^vent any insult from our enemyes, and it had the effect I expected, for they durst not face the weakest of our garrisons.

I came now for your releife and have lost noe time; the same day that I had the account from hence that the enemy was in this Country, I put my selfe on board a sloop and brought with me one hundred and fifty Christian Soldiers besides volunteers, and arrived here before I could be expected. I did immediately march to Schenectady, from whence I sent supplys of two hundred and odd men with p^r^vision & ammunicôn up to you, who with those under the command of Maj^r^ Schuyler that had joyned you before might have secured an intire victorie & prevented the French and their Indians from any possibility of getting back to their own homes, but it has pleased God to order it otherwise.

I had alsoe two hundred Christians more upon their march, who arrived here and would have been a considerable reinforcement to us, but the accôn being over I commanded them back to their former residence 'till further orders.

It is obvious to me and (I beleive) to you all that the calamity is fallen on you by yo^r^ own faults. I could never suppose my brethren the Maquas would be soe supine and carelesse as to suffer the French and their Indians to enter their Castles without the least resistance.

The men that have an enemy neere must sleep with their arms in their hands and one eye open; that is they must keep scouts and spyes soe as never to become a prey to their enemyes by their own negligence.

I must therefore advise you that for the future you keep strict watch, soe that I may have timely notice of the enemys mocôn, and you will then see how easily they will be defeated.

I hope it is now apparent to you that the great King of England is ready to apply his arms for yo^r^ defence, when you consider that in a very few dayes I am come personally to your assistance with neer four hundred Christian soldiers

I have had the honour to bear command under the great King of England my master, where I have seen the French fly before his victorious arms, & last summer it pleased God to add to his victoryes by the defeate and distruction of their fleet, in which most of their ships were burnt and sunck.

I am come now in great haste and brought noe p^r^sents with me, but designe (by the blessing of God) to be with you at the beginning of summer to renew the antient covenant chain, and to give you further assurances of the great King of Englands favour to you and of my own readynesse upon all occacôns to appear as his servant for yo^r^ protection against our enemyes and yours, and to give you something to wipe off yo^r^ tears for the losse of your relations, which I heartily condole.

My p^r^sent care now is to provide for the Maquas Nation, about which I have given my direccôns to Maj^r^ Schuyler, who will appoint them a place for their residence. I have alsoe ordered some corne for your present support, which you will receive.

I must add that it concerns your honnour and reputacôn to make some brisk attempt upon our enemyes, and this with what secrecy & expedicôn you can, that those people may see you retain the antient courage of your ancestors; and I doe not question but God will give you success by a severe revenge upon our enemys and yours.

I am informed that your young men have killed the horses of some Christian soldiers, who were upon the same service with you. It is not brotherly, and I desire for the future you will take care to prevent such outrage, that the antient covenant chain may be p^r^served inviolable on your parts, as it will be on my masters the Great King.

To conclude I must tell you that I doubt there is some false brother among us, who keeps intelligence with our enemyes, concealing their designs & exposing ours; if you have one French man among you he will be true to his country and betray you. I have ordered you some bread and beere, and desire you will drink the healths of my great Master and Mistress, the victorious King and most illustrious Queen of Great Brittain, France & Ireland, and all America, and soe I bidd you farewell.

a true Copy

M. Clarkson Sécry

Answer of the Five Nations to Governor Fletcher.

[New-York Papers, III. E. 54.]

The answer of the Five Nations viz^{t} the Maquas, Oneydes, Onondages, Cayouges and Senekes; to his Excellency Benjamin Fletcher Captain Generall and Governo^{r} in chief of the P^{r}vince of New York &^{c} at Albany the 25th day of February 169$\frac{2}{3}$ afternoon

Sadekanaktie Sachim of the Onondages, Speaker. Hille, the Interpretesse.

Brother Cajenquiragoe. This word signifies Lord of the Great Swift Arrow, a name given to his Excellency Benj^{a} Fletcher &^{c} because of his speedy arrivall with soe many men for their relief when the enemy had fallen on the Maquas Castles.

When wee arrived at Schennectady after o^{r} march against the enemy yo^{r} Excellency was pleased to desire us to come heither, where wee have heard yo^{r} Excellency speake and also participated of yo^{r} favours. Wee confess the French of Canida our enemys have fallen upon o^{r} brethren the Mohogs & destroy'd their three castles, & we can blame nothing for it but their not hearkening to yo^{r} Excellencys wholesom advice in October last, which was, to keep good guard & out Skouts. Wee returne yo^{r} Excellency our hearty thanks for yo^{r} care in providing for them that they may not starve in the midst of this extreemity.

Brother Cajenquiragoe Yo^{r} Excellency has p^{r}posed to us to attack the enemy in their Country to show them that wee have not lost the courage of our ancestors. Wee return you our hearty thanks for your good encouragement. Wee are now in some manner drunk with the blood lately shedd by them. It is not usuall for us whilst und^{r} such greife and anxiety as doth now seize us, to pursue to revenge our selves of the enemy. You have lost your blood as well as wee & therefore the blood ought to be revenged unanimously by both sides.

Brother Cajenquiragoe. You have recommended to us to attack the enemy at their homes in Canida. You have been acquainted with us of old, that it hath always been o^{r} custom first to condole the death of those who are killed by the enemy, being all one heart, one blood one soul.

Nevertheless wee design to goe out and fall upon the French, but we must first secure our Castles; since we know that the Governo^{r} of Canida does intend to send out a considerable party; whether wee know not.

You presse us to goe & attack the French in Canida by land. Wee expect that according to the many promisses & engagements made us, to hear that you send a considerable force with great gunns by sea, that the enemy being assaulted both ways may be overcome. Wee press this the harder because a great part of our Strength is already broke; therefore take it not amiss that wee push this point of takeing Canida by sea, since it is impossible to take it by land alone.

Brother Cajenquiragoe. Wee return yo^{r} Excellency our hearty thanks that you are soe ready to assist us upon any occasion, & for yo^{r} good advice to be watchfull & keep out good scouts & spyes. It is probable wee had done a great deale more dammage to the enemy had wee been soe well provided with all sorts of ammunition and armes as the Indians of Canida are. Some of our men have gunns & no powder & ball; & some but bowes and arrowes, which Maj^{r} Schuyler can testifye who see us when wee came up to him: whereas the Governo^{r} of Canida supplyes his Indians with all sorts of armes and ammunicôn, which we found when wee engaged them.

Wee pray yo^{r} Excêll. to have a carefull eye over us since this party of the French that have destroyed the Maqua's Castles is but a part of his strength; he is at work with the Ottowawaes & Dowaganhaes Indians, where he has a great magazine & supplies them with all sorts of ammunition. And wee fear that force will come down upon us still.

Brother Cajenquiragoe. Wee return yo^{r} Excellency thanks for remembring o^{r} dead & that you will condole their losse when you come up in the beginning of Summer; but yo^{r} Excêll. can expect noe return from us; our condition and capacity is soe meane.

Brother Cajenquiragoe you did inform us of a great victory that our Great King has got upon the French at sea, which is wonderfull & all the Nations are heartily rejoyced at it, and hope that God Almighty will give the same success to their Maj^{ties} armes in this part of the world over his and our enemys the French in Canida.

Wee pray that yo^{r} Excêll. would be pleased to acquaint our Great King of our mean condition & in what posture wee are in, how easy it is to destroy Canida if all their Ma^{ties} Subjects in these Colonyes would unite & joyne together, with some ships which o^{r} great King can more easily spare us after this late sea victory over the French.

Wee desire that yo^{r} Excellency would be pleased to ord^{r} a Smith to bee with us in o^{r} country to repair our armes that wee may defend our selves against the French.

His Excêll: replication to their answer.

Brethren.

I must tell you of yo^{r} mistake to thinke that this party of French that have destroy'd the Castles of the Mohogs are but part of the Governo^{r} of Canida's strength; for it is his greatest strength that he can spare & the best men he had, nor could they come here but with great difficulty and hardship; and believe the greatest part of them that escaped will never returne, but perish in the woods; therefore be not discouraged, keep out good scouts & spyes and give me but timely advertisement of their comeing (you have experienced my readinesse for yo^{r} reliefe) and I doubt not if Monsieur Frontiniack with all the power of Canida come to assault us, but to overcome him by the strength of this P^{r}vince, without any assistance of our neighbours.

I doe grant yo^{r} request of a Smith, and will order one to live in yo^{r} country to repair yo^{r} armes.

PROPOSITIONS made by four of the Cheif Sachims of the 5 nations to his Excêll. Benjamin Fletcher, Captain Generall &c in Albany the 26th of February 169$\frac{2}{3}$.

BROTHER CAJENQUIRAGOE

Wee come to acquaint you that last night one of our men in a fitt of drunkenesse hath killed an Indian that came over from the French; at which wee are much concerned; and therefore come to know how yor Excêll. resents it.

Wee desire yor Excêll. will be pleased to prohibite the selling of rum whilst the warr is soe hott, since our soldiers cannot be kept within bounds when they are drunk.

BROTHER CAJENQUIRAGOE. Wee made answer to yor Excêll. speech yesterday, but had not time to consult with that deliberation wee ought to have done. Wee therefore beg yor Excêll. pardon for what is omitted, & where wee did faile in our duty, wee doe declare in behalfe of all the Nations that wee are singularly oblidged to yor Excellency for your extraordinary dispatch & suddain arrivall with soe considerable a force for our reliefe; the like was never done before. Wee see yor Excellencys readyness & alacrity to help and assist us & doe also return yor Excellency thanks for leaving direccôns with Majr Schuyler to take care of the Maquas Nation.

Wee are thankfull for yor Excêll. kind expression to be soe ready to come for our reliefe & that you warn us to looke out and come & acquaint you assoon as wee see the enemy afarr off coming. Wee will doubt no more of yor Excêll. power to protect us, since we have a sufficient proof thereof in this expedition.

BROTHER CAJENQUIRAGOE. Wee doe engage to make a narrow enquiry as soon as we come into our country about the French prsoners, whom wee suspect may betray us. Wee have had twice words with the Oneydes about that priest Millett, that is among them, & wee intend to try the third time.

Wee desire yor Excellency may come up as soon as the barke is loose upon the trees, since wee have a designe upon the enemy.

Wee forgott to answear yor Excêll. concerning or young men killing the horses. Wee confess it is not brotherly; it is very ill done, and as soon as wee come into or countrey wee will take such methods to prvent it, wee will find out those that have done it & cause them make satisfaction.

His Excêll: did reply.

That he was much concerned that they should exercise their arms against one another, whilst there is an enemy in the field; he hoped for the future they would prevent such irregularities, that they may rest suffitiently satisfyed in the readinesse of the armes of the Great King of England to assist them & that for his own part he will never spare to expose his person for their security; that the rum shall be prhibited according to their request & that the greatest thing he does require of them is to bee vigilant and carefull & not to suffer themselves to bee surprized hereafter, & then they need not fear the French.

A true Copy

M. CLARKSON Sêcry

List of Officers in New-York and their Salaries.

[New-York Papers, III. E. 38.]

Province of New York
in America.

A List of all the Officers imployed in Civill Offices in the Province of New York in America the 20th of Aprill 1693 and of their Sallaries.

Patent Officers

	Sallarys £ s. d
His Excellency Benjamin Fletcher Esqr Capt Genll and Governour in Cheife of the Province of New York and Territories depending thereon in America and Vice Admirall of the same £600 sterling att 30 pr cent advance is.....	780 .. ..
Matthew Clarkson Esqr Sêcry. allowed him for Paper, Pen & ink pr annum....	30 .. ..
Chidley Brook Esqr Collr and Receiver Genll pr ann £200. £30 sterl pr cent advance	260 .. ..

Members of Councill.

Fred. Philips	Gab: Monveille	Willm Pinhorne
Steph: Courtlandt	Chid. Brook	Peter Schuyler
Nich: Bayard	Wm Nicolls	John Lawrence
Will: Smith	Thos Willett	John Youngs
	Caleb Heathcote	

James Grayham Esqr Attorney Genll
David Jamison Clerk of the Councill allowed per annum..... 50 .. ..
Dan: Honan Accomptant Genll pr añn: ..... 50 .. ..
Jarvis Marshall Door keeper & Messenger of ye Councill ..... 30 .. ..

Justices of the Supream Court of Judicature haveing the power of King's Bench, Cómon Pleas & Exchequer

allowed for riding ye Circuit
William Smith Esqr cheife Justice per annum..... 130 .. ..
William Pinhorne Esqr 2d Justice per annum..... 100 .. ..

Steph: Courtlandt
Chid Brooke
John Lawrence
} Esqrs Justices

The Secretary is Clerk of this Court

Custome House Officers

Robt Livingston Sub Collector att Albany per annum ..... 50 .. ..
Willm Shaw Gauger att Albany pr Añn ..... 8 .. ..
Thos Munsey Surveyor att New York pr añn..... 40 .. ..

James Evetts Waiter	30 .. ..
Emmanuel Young Waiter	30 .. ..
The Guager at New York paid by y^e^ Cask	
Allowed to Godfredus Dellius for teaching and converting the Indians p^r^ añn	60 .. ..
To the Interpretess Helletie to interprete for y^e^ Five Nations p^r^ annum	20 .. ..
Allowed for their Ma^ties^ Barge one Coxswaine p^r^ añn: & eight oars att 50^s^ each £20	30 .. ..
Allowed to a printer p^r^ añn:	40 .. ..
Clerk of the Assembly allowed 12^s^ p^r^ diem dureing y^e^ Sessions	
Door Keeper and Messenger 4^s^ p^r^ diem during y^e^ Sessions	
Allowed the Hon^ble^ M^r^ Blaithwayte 5 p^r^ cent out of the Revenue as Auditor Generall.	
	£1738 .. ..

In the Citty of New Yorke

Abraham Depeyster Esq^r^ Mayor & Clerk of the Mercate
James Graham Esq^r^ Recorder.
Standley Hancock Esq^r^ HighSheriffe
William Sharpas Towne Clerke

The Aldermen, Collectors, Assessors, and Constables are elective

In the City of Albany

Peter Schuyler Esq^r^ Mayor
Dirck Wessells Esq. Recorder
Rob^t^ Livingston Esq Town Clerk
John Apell Esq Sheriffe

The Aldermen, Collectors, Assessors and Constables elective.

The Mayor's Court hath the Power of the Comôn Pleas.

In each County there is a Court of Comôn Pleas whereof the first in the Commission of the Peace is Judge, and is to be assisted with any two of the three next in the Commission of the Peace.

The Mayor and Aldermen are Justices of the Peace and have power to hold Quarter Sessions in the Cittys of N. York and Albany.

Justices of the Peace

In the County of Albany to joyne the Mayor, Record^r^ and Aldermen in the Quarter Sessions.

Eghbert Theunise Kilian van Ranslaer Martin Gerritse Dirck Theunnisse	Esq^rs^	Nicholas Rispe Sanders Glenn Peter Vosbrough Gerryt Theunnisse	Esq^rs^

Justices in Westchester County.

Caleb Heathcote Esq^{r} Judge of the Common Pleas.

Joseph Theale, William Barnes, Daniel Strange } Esq^{rs}

James Mott, John Hunt, W^{m} Chadderton, Thomas Pinkney } Esq^{rs}

Benjamin Collier Esq^{r} Sherriffe

Joseph Lee Clerk of the County

Collectors, Assessors, and Constables elective.

Justices in the County of Richmond.

Ellis Duxbury Esq^{r} Judge of y^{e} Comôn Pleas

Abraham Cannon, Abraham Lakeman } Esq^{rs}

Dennis Theunnisse, John Shadwell } Esq^{rs}

John Stillwell Esq^{r} Sheriff.

Justices in the County of Ulster.

Thomas Garton Esq^{r} Judge of the Comôn Pleas

Henry Beeckman, Dirck Shepmers } Esq^{rs}

Wessell Tienbrook, Abraham Haasbrough } Esq^{rs}

Nicholas Antonio Esq^{r} Sherriffe.

Justices in Suffolk County.

Isaac Arnold Esq Judge of y^{e} Comôn Pleas.

John Howell, Samuell Mulford, Rich^{d} Smith, William Barker } Esq^{rs}

Matthew Howell, Ebenetus Platt, Thomas Mapes } Esq^{rs}

Josiah Hobbart Esq^{r} Sherriffe.

Justices in Queen's County.

Thomas Hix Esq^{r} Judge of the Common Pleas

Richard Cornwall, Ellias Daughty, Dan: Whitehead } Esq^{rs}

John Smith, Tho: Stevensant } Esq^{rs}

John Harrison Esq^{r} Sheriffe

Andrew Gibb Clerke

Justices in the King's County.

Stephen Courtlandt Judge of y^e^ Common Pleas

Roeloffe Martinse Nicholas Stillwell Joseph Hegeman Henry Filkin	Esq^rs^	Dirk Huyle John Theunisse Peter Cortiliau Stoffell Probasco	Esq^rs^

Gerryt Strycker Esq^r^ Sherriff.

Dukes County consisting of Nantuckett and Martin's Vineyard claimed by S^r^ William Phipps, the case of Martins Vineyard laid before their Ma^ties^.

Orange County not above twenty families, for the present under the care of New York.

Dutchess County haveing very few Inhabitants committed to the care of the County of Ulster

Surveyors of Highways, Collectors, Assesors and Constables, are elective throughout the whole Province.

An Account of all Establishm^ts^ of Jurisdictions within this Province

Single Justice. Every Justice of the Peace hath power to determin any suite or controversy to the value of fourty shillings.

Quarter Sessions. The Justices of the Peace in quarter Sessions have all such powers and authorities as are granted in a Commission of y^e^ Peace in England.

County Court. The County court or common Pleas hath cognizance of Civil accôns to any value, excepting what concerns title of land; and noe accôn can be removed from this Court if the damage be under twenty pounds.

Mayor & Aldermen. The Court of Mayor and Aldermen hath the same power with the County Courts.

Supreme Court. The Supreme Court hath the powers of Kings Bench, Common Pleas & Exchequer in England, & noe accôn can be removed from this Court of under £100.

Chancery. The Governour and Councill are a Court of Chancery and have the powers of the Chancery in England, from whose Sentence or decree nothing can be removed under £300.

Prerogative Court. The Governour discharges the place of Ordinary in granting administracôns and proveing Wills & The Secretary is Register. The Govern^r^ is about to appoint Delegates in the remoter parts of the government, with Supervisors for looking after intestates estates & provideing for Orphans.

Court Marshall. The Govern^r^ hath established a Court Martiall att Albany whereof Major Rich^d^ Ingoldesby is President and Robert Livingston Judge Advocate who with the other cômissionated Captains att Albany have power to exercise Martiall Law being a frontier garrison and in actuall warr.

Admiralty. Their Majesties reserve the appointment of a Judge, Register, and Marshall.

M. Clarkson, Sêcry.

State of the New-York Militia.

[New-York Papers, III. E. 40.]

Aprill the 21st 1693

A state of the Millitia in their Majesties Province of New York in America.

	Men.
The Millitia of the Citty and County of New Yorke & Orange, commanded by Coll: Abraham Depeyster, being Eight Companys of foot, and one Troop of Horse consisting of	477
The Millitia of Queen's County in ye Island of Nassaw, commanded by Coll: Thomas Willett being nine Companys Foot, and one Troop of Horse consisting of	580
The Millitia of Suffolke County in the Island of Nassaw commanded by Coll: John Young being nine Companies of Foot, consisting of	533
The Millitia of Kings County in ye Island of Nassaw, commanded by Coll: Stephanus Van Cortland, being six Companys of Foot and one Troop of Horse consisting of	319
The Millitia of the County of Albany cômanded by Major Peter Schuyler being five Companys of Foot and one Troop of Horse, now formed into Dragoons by the Governr consisting of	359
The Millitia of Ulster and Duchess County cômanded by Lieut Coll: Beeckman being four Companys of Foot and one Troop of Horse now made Drägoons, consisting of	277
The Millitia of the County of Westchester, cômanded by Coll: Caleb Heathcott, being six companys of Foot consisting of	283
The Millitia of the County of Richmond commanded by Capt Andrew Cannon being two Companys of Foot consisting of	104
In all	2932

Ben. Fletcher.

Draft of Commission constituting Benjamin Fletcher, Esquire, Commander-in-Chief of the Forces of Connecticut.

[New-York Entries, III. 29.]

William and Mary by the Grace of God of England, Scotland, France and Ireland King and Queen defenders of the Faith &c To Our Trusty and Welbeloved Benjamin Fletcher Esqr Captain Generall and Governor in cheif in and over Our Provinces of New York and Pensilvania, and our County of New Castle and all the Territories and Tracts of Land depending thereon in America. And to our Governor or Commander in Cheif of Our Province of New York for the time being Greeting.

Whereas our Colony of Connecticut in New England by its neighbourhood to our Province of New York will be best defended and secured from the attempts of our Enemies, and may with most expedition assist our said Province as there may be Occasion during this time of

Warr, by uniting the Forces of our said Colony and Province.[1] [And Whereas by Act of Parliament made in the thirteenth Year of the Reign of the late King Charles the Second, it is declared that within all our Realms and Dominions the Sole and Supream Power, Government Command, and disposition of the Militia and of all Forces by Sea and land, and of all Forts and places of Strength is of Right belonging to us,] We reposing especiall Trust and Confidence in your Prudence Courage and Loyalty have thought it necessary for our Service and for the better Protection and security of our Subjects inhabiting in those parts, to constitute and appoint, and we do by these presents constitute and appoint you the said Benjamin Fletcher or our Governour or Commander in Cheif of Our Province of New York for the time being, to be our Lieutenant and Commander in Cheif of the Militia, and of all the Forces by Sea and Land within our Colony of Conecticot, and of all our Forts and Places of strength within the same.

And for the better ordering Governing and Ruling our said Militia and all our Forces, Forts, and Places of Strength within our said Colony of Conecticut. We do hereby give and grant unto you the said Benjamin Fletcher, and to our Governor or Commander in Cheif of our Province of New York for the time being, [to be our Lieutenant and Commander in Cheif of the Militia, and of all the Forces by Sea and land within our Colony of Conecticott, and of all our Forts and Places of Strength] full Power and Authority to Levy, Arm, Must^r Command or Employ the Militia of our said Colony and [as occasion shall serve,][2] them to transferr to our Province of New York and Frontiers of the same, for the resisting and withstanding of our Enemies Pirats and Rebells both at land and Sea, and for the defence of our said Province and Colony against the Invasion or attempts of any of our Enemies. And them if occasion shall require, to pursue and prosecute in or out of the limitts of our said Province and Colony or either of them. And if it shall so please God them to vanquish and being taken either according to the Laws of Arms to put to death, or to keep and preserve alive at your discretion and to do and execute all and every other thing which to our Commander in Cheif of our Militia and of our Forces by Land and Sea doth or ought of Right to belong, as fully amply as any our Captain Generall doth or hath usually done.

And whereas by our Commission under our Great Seal bearing date the 24th day of December in the third year of our Reign. We have constituted and appointed our Trusty and Welbeloved S^r W^m Phips to be our Lieutenant and Commander in cheif of the Militia, and of all the Forces by Land and Sea within Our Severall Colonies of Conecticut Rhode Island and Providence Plantation the Narraganset Countrey or Kings Province, and our Province of New Hampshire and all our Forts and Places of Strength within the same, with the severall Powers and Authorities therein Contained. And whereas for the aforesaid recited reasons and Considerations, We have thought fitt to place the command of the Militia in Our Governor of New York for the time being. Our Will and Pleasure is, That all the Powers Granted to the said Sir William Phips for the Commanding ruling and Governing of the Militia within our said Colony of Conecticut; and of all the Forts and Places of Strength within the same, do from the Publication of these presents cease and determine.

And that you the said Benjamin Fletcher and the Governor or Commander in Cheif of our Province of New York, shall and may from hence hold execute and enjoy the office and Place of Our Lieutenant and Commander in Cheif of the Militia, and of all the Forces by Sea and

[1] "Which are daily threatned with an Invasion by the ffrench"—follows the word "Province" in the official Commission, from which the passages within brackets are omitted. Book of *Commissions* II., 69 —Ed.

[2] "Upon any necessary and urgent occasion during this Warr"—are substituted in the Commission for the words in the text.—Ed.

Land within our Colony of Conecticut in our Territory and Dominion of New England in America, and of all our Forts and Places of Strength within the same for and during Our Will and Pleasure.

MEMD^m

Ordered the 1st May, 1693.

A Commission being to pass under the Great Seal for the Govern^r of New York for the time being, to have the Command of the Militia of Conecticut in New England for the assistance of that Province. It is necessary that the same be ordered to Pass at the Kings charge, the Gover^r of New York having no benefit by it.

Minutes of the Committee of Trade, &c.

[New-York Entries, III. 43.]

Minutes of the Committee of Trade and Plantations y^e 12^th June 1693.

Upon reading a letter to the Earl of Nottingham from Coll: Fletcher Governo^r of New York, complaining that the neighbouring Colonies Harbour their Deserters and Rob them of their Trade Imposing no duties, and that the Act of Navigation is wholy violated by those outliers, Their Lordships recom^d this matter to the Lords of the Treasury, and a Letter to be writt to those Colonies from the Committee, that their Majesties Expect the Orders of the Treasury herein should be obeyed.

M^r Attorney Generall is ordered to look into the Matter of the Government of the two Jerseys, and to consider the Charters of Connecticutt and Rhode Island and Report to the Committee.

The Queen to be moved to send Arms and Accoutrements for Two Troops of Dragoons to New York.

To know from M^r Recorder what convicts are in Newgate for Transportation that they may be sent to New York to Recruit those Companies.

Governor Fletcher to Mr. Blathwayt.

[New-York Entries, III. 53.]

Sir

Mr Lodwick sent by the Councill to give an Acct of the Province.

The Councill have obliged this Gent: Lieuten^t Col: Lodwick to lay the condition of this Province before the Lords and your self, if you can spare him time, he will say more than I can write, and being a long resident here, a man of very good principles and strict morralls, he will find credit with you

No assistance from Pensilvania.

I cannot promise much assistance to this Province from that of Pensilvania, I have spent some weeks there but never yett found so much self conceite they will rather dye then resist with Carnall weapons, nay they would perswade me their Province was in no danger of being lost from the Crown, tho they have neither, Armes or Amunition,

nor would they suffer those few to be train'd who were free for it, their minnutes of Council and Assembly which are now Transcribing for you, will appear a farce.

a Seal for Pensilvania wanted

I was at a loss for want of a Provinciall Seal this of New York I could not carry with me, nor would it do, That Province being yet distinct, acting by their own Councell and Assembly. I desire you will please to move that a Seal may be sent or their Majes[ts] warrant to make this of New York in force for that Province.

And Great Guns.

We shall also want twenty peeces of Artilery for a Fort with Powder, Ball, &[c] But I know not whether ever these People will answer so great a Charge to the Crown, they will not fight for themselves, nor part with money to such as will do it for them. The next Ship I hope will bring you the perticulers of my Proceedure amongst those people, I am now hastning to Albany having notice that one of our five Indian Nations, are offering att a Treaty with those of Canada. I Kiss your hand and am Sir

Your most Humble & Obed[t] &[c]

New York the 12. June 1693.

BEN: FLETCHER.

Governor Fletcher's Instructions to Colonel Lodwick.

[New-York Papers, III. E. 60.]

Instructions from his Excellency Benjamin Fletcher &[c] & the Council of New York to Lieu[t] Coll: Lodwick containing what he is to offer to the R[t] Hon[ble] the Lords of the Cômittee for Trade and Forreign Plantations. Dated the 13[th] June 1693.

To represent to the Lords Cômittee for Forreign Plantations the estate and condition of this Province, the burthen and pressure it lies under, how deeply in debt, their treasure exhausted, their men wearied out with supporting the frontiers of Albany; that it is wholy impossible longer to subsist unless assisted by the neighbouring Provinces both with men & money; that yet notwithstanding Her Maj[tys] mandatorie letters to the several neighbouring Governm[ts] to assist this Province, little or no assistance has been given or can be hoped for, through the remoteness of some governments and excuses and delayes of others; and that from Pensilvania no assistance at all can be expected, they being most Quakers will give no men or money for warr, and so long as they are a distinct government and governed by their own Assembly nothing can be hoped for unless their Maj[ties] shall please to join that government to New York; by which this Province may be able to out vote them.

And that the annexion of the Jersies to this Province would be greatly advantagious to their Maj[ties] interest in the preservation of these their Majesties plantations in general; for that this Province lying under sore taxes and pressures, most of the young men and such other householders as can any way remove; depart this province to the neighbouring governments, where they are wholy free from tax or any other contribution towards the common security; to the great discouragement of this Province.

That the Colony of Connecticut is full of people seated near and convenient for the assistance of Albany, and our transportation to the frontiers is extream chargeable and uncertain, depending on wind & tides for 150 miles up in the country; when they can march dry foot in two days

by land; that it would be the greatest safegard to this Province if that Colony of Connecticut were anexed to this Province, the safety of all New England depending on the security of Albany. That if our Canton Indians, who seem to stagger and are enclined to make peace with the French of Canada, through want of those usual supplys and presents which this poor Province cannot longer support it self under, and they should be induced to make up a seperate peace, the ruin of the whole country would unavoidably ensue; and that if the frontiers of Albany should happen to be pusht by the enimy, the neighbouring governments cannot hope to escape; for if we loose our Indians, who are our cheifest & cheapest bulwarks against the French, we cannot keep less than 1000 men in garrison at the frontiers; which would in one year ruine the whole province to maintain.

That not only this Province would be exposed to the enimy, but more immediately Virginia and Maryland they having no fortifications, but lying in remote setlements would be in continual danger of being cutt of, by very small partys; whereby their Maj^{tys} revenue would considerably suffer.

That our neighbour governments are wholy exempted from any impositions or customes as are paid att New York; which greatly discourages the trade of this Province and apparently lessens the revenue for the support of their Maj^{ties} interest here; our merchants and traders removeing thither.

That whereas Canada is the chiefest seat of the enimy; if they were removed, which might be done by a joint supply from all these governments, with order and assistance from England, would at once free these Plantations from further pressure, and would conduce to the advantage & encouragement of all these Provinces in general, as well as the honour of their Maj^{ties} in particular.

To represent rightly the late transactions of Capt: Leisler, to give a full account of all affairs from the beginning, especially since the arrival of Gov^{r} Sloughter.

BEN: FLETCHER

NICH: BAYARD	CHID: BROOKE
G. MINVIELE	W. PINHORNE
W. NICOLL	CALEB HEATHCOTE
ST. V. CORTLAND	J. LAWRENCE.

William Penn to Governor Fletcher.

[New-York Papers, IV. 24.]

Govern^{r} Fletcher

Haveing assurance that a commission goes to thee with this Ship to command my Province att least dureing the warr and my absence I thought fitt by the same oppertunity to give thee this caution that I am an Englishman and that Country and Goverm^{t} of it inseperably my property, dearly purchased every way and much indebted to me and my children yett: that there is noe Quo Warranto brought nor tryall or judgment judicially past in that Afair, and therefore I must impute it to some misinformation given the Lords of the Committee of Plantations and an excess of Care in them over the English Territtories. I therefore hope

thou wilt tread softly and with caution in this affair, thou hast formerly discoursed largely in favour of free and property principles. I expect a proofe of it in my owne case and that my Deputys shal find noe interuption, my Pattent makeing the same Provission for my Deputys as If I my selfe were upon the spott and that is my title. The discouragem^{t} it will give y^{e} inhabitants who upon the faith of the Crown went theither. The decay of their infant trade (the return of their Ten yeares Wildernesse Toyls and inconveniences) are prevailing motives with me to this Request which I recomend to they serious and friendly Consideration

And am thy
Real Friend
W^{m} PENN.

London 5th X.^{mo} 92.

Endorsed Copy of M^{r} Pen's letter
to Côll Fletcher dat
London 5 X^{mo} 92.

Rec^{d} 20 Dec. 93
frô Côll Fletcher
B: F:
P: 24:

Extracts of William Penn's Letters to Friends in Philadelphia.

[New-York Papers, IV. 23.]

Extracted from a letter of William Penn to a certain person in Philadelphia.

"For what concerns the Commicôn to the Governor of New Yorke to add you to his care during the warr and my absence I referr you to Thomas Holme the bearer who is fully instructed as alsoe to some other letters of that import, in short insist upon your patent with wisdome & moderacôn but steddy integrity you are to hear and obey the Crowne of England speaking in the language and voice of the law which this is not but sic volo sic jubeo &^{c} doubtlesse upon misadvice of your emulous neighbours that suggests the French will make way into the Colonyes by you Sett forth the falshood of it by your singular Scituation by land and sea, your hazard, charges, labours and that the Government was your motive more than land and that you were a people that could have lived here at home and went not upon motives of guilt or poverty and that it will tend to the ruine of the Plantacôn which has brought and daily brings in more custome to the Crowne than revenue to the Government there and send this over to Tho: Barker, Phi: Ford, Jos: Martin and Fran: Plumsteed and others concerned and both freinds and others of London and Bristoll will deliver your representation to the Lords of the Plantacôns or to the King and Council if you will but protest against any proceeding of the Governor of New Yorke upon his arbitrary Commicôn which as I said before must follow from misinformacôn and an excess of care in the Lords to preserve the Colonyes from the French"

By another letter to the freinds in Pensilvania[1] Mr Penn writes "to finde out a hundred persons in the Countrey of Pensilvania each to lend him one hundred pounds without use for three years and without any oyr security than his own bond and promises them that within six months at farthest after the receipt of it he will imbarque for that place with all his family.

Some meetings have been about it and It is reported that how much soever they appear his freinds they stagger when he comes neer their purses those that are able want better security and those that are not (to excuse themselves saying they would if they could.

This account comes to [us] by letter from Philladelphia

Ben: Fletcher

Endorsed Mr Penns advice to the Inhabitants of Pensilvania.

Recd 20 Dec: 1693 from Coll: Fletcher
Recd 27 Dec. 93 & 2 Feb. 9¾
B: F:
P: 23

Thomas Lloyd, Esq., Deputy Governor of Pennsylvania, to Governor Fletcher.

[New-York Papers, III. E. 63.]

Govr

The accº from thee, of yor success agt the French and Indians their complices, I doe thankfully acknowledge to have recd & wth many more congratulate yr deliverance therein. As to the burthen & hard circumstances wch that Colony is represented to lay under in this publick undertaking, we can more readily believe then give you relief herein. We may and doe cõmiserate you, but supply you at this juncture we can not. The delegates and representatives of the Freemen here have not thought advisable since our Propriets absence to concur to ye raising of any moneys, either towards defraying the requisit expence of governmt or the accommodation of our neighbrs upon occasion.

Our Genll Councel are to meet this week, & when come together they shall have this matter before ym but I expect not much if any thing from yt, tho' to answer the Provincial Exigencies. Thus farr I am serious and plain with thee, but by way of a rehearsal transpos'd, I might comically represent unto thee my personall difficulties & domestick circumstance, under this station, & so request thy candid consideration & kindness towards me, wm a governmt hath burthened but not relieved. I hope and unfeignedly desire a sudden supersedeas as to my present place, & a quietus herein would be wellcome unto mee. In the mean time I am & shall remaine

Thy well wisher
Tho: Lloyd.

Philadelph:
27. 1st mo 1693

[1] Dated 4th December, 1692. *Memoirs of the Pennsylvania Historical Society*, IV., Part I., p. 202.—Ed.

Abstract of Governor Fletcher's Letters to the Committee of Trade.

[New-York Entries, III, E. 43.]

Collonell Fletcher by his Letter of the 15th of August to the Lords Comissrs of the Treasury acquaints their Lordships.

He fears the fleets not proceeding to Canada when heard by the Indians will be the loss of them to the French.

Having appointed a Committee of Councill to Consider the production of Hemp, Pitch, Tarr, and Rozin they find.

Tarr is produced at 12s per Barrll Flax at 6d per pound. Hemp at 4d per pound no Rozin made.

That the Quantities are small but the soil agreable to Improvement.

Governor Fletcher to the Secretary of State.

[New-York Miscell. Bundle. S. P. O.]

August 15. 1693

My Lord

I have not yet received any commands from your Lordp nor omitted any oppertunity of returneing an account of theire Majties affaires in this Provce and that of Pensilvania; all the minutes of Councell and acts of Assembly, are sent and I hope safe in the plantation Office; because I cannot bee sure duplicates are sent now with an account also of my Treaty with the Indians att Albany, I am unwilling to burthen your Lordpp with long letters, I have enlarged to Mr Blaithwaite and humbly beg your Lordps Countinance in such things as may appeare reasonable for the defence of these Provinces.

The 8th instant I received an account from Mr Povey, by the way of Boston that your Lordp had writ by some other vessell of which I heare noething, nor of those papers hee mentions as formerly sent; Hee tells mee theire Majesties have given mee the comand of Connecticut Mallitia, wch will bee of greate advantage to the service, if I can find a way to make them raise mony for theire paym'ts; daly complaints come from the Colony, of the arbitrarie Tyranicall proceedings of those Reepublicans; I wish my Commission weer come, I am hard put to it for men att this instant

My Lord, I shall be now necessitated to make many jornys into Pensilvania and Connecticut for which I have noe sallery, and a Seaman dying heer lately his name James Gilcrease, without any will or heire, that I can yett heare of ('tho they pretend theer is both) if none appeare, his Estate is theire Majesties which if graunted to mee will enable mee the better to goe thro' my dewty, I can not tell the vallew, but hee was supposed to bee worth five hundred pounds. My Lord, I blush to aske this, but am advised to it, former Governors look'd on it as a right, which I can not, I hope your Lordp will pardon mee.

Sir Francis Wheelers departure with the Fleet from Boston, when wee expected to attack Canada startles us all.

My Lord, I am. Your Lordp's most
faithful humble and obedient servant
Ben: Fletcher.

Governor Fletcher to Mr. Blathwayt.

[New-York Entries, III. 56.]

New York 15 August 1693.

Sir

No money raised in Pensilvania for the Government.

I have received no Orders from Whitehall concerñg this Province, so soon as I had their Majesties Cômands for the Government of Pensilvania, I went thither to settle it and tarryed about six weeks could not prevaile with the People to settle a Revenue to defray the charge of the Government or to give assistance to New York, they have no regard to the Queen's Letter, so that instead of assistance it is like to prove a trouble, so

The Covenant Confirmed with the Indians

soon as I returned I went to Albany to confirm the old Covenant chain with the Staggering Indians of the five Nations, from whence lately returned I understand the French of Canada are gathering in all their strength from their many small Fortifications upon the River of Canada, to Quebeqe and Moyall, the Greatest next the Sea and this Province,

The French Endeavour a Peace wth the Indians.

And did liberally for a Peace with our Indians, which I have endeavoured to my Power to hinder, my arm is shortned for want of assistance, Count Frontiniac is buissy with his Fortifications at Quebeqe and if lett alone a yeare or to more 'twill require an Experienced Officer and considerable force to turn him out.

If we loose our Indians Virginia Maryland and all our Neighbours will have their hands full,

£600 sent from Virga and £300 from Maryland.

I do all I can to prevent it and write often to them, all the assistance I have received this year is Six hundred pounds New York money from Virginia and three hundred pound sterling from Maryland, Sr William Phips will give nothing

Stone Fort wanting at Albany.

A stone Fort is wanting at Albany and money to build withall, I have appointed the first Wednesday in October next for a meeting of Commissioners from the

The Comissrs for the Colonies to meet in Octr

Neighbouring Government to Concert and agree upon Quota's of men and money for the reinforcements of Albany and the Fronteers during the warr, it is doubtfull to me if they will come or do any thing to purpose.

If I have not the absolute government of Connecticutt t'will be hard to bring them to any thing, The Ketch Alborough is of no service here being a dull sailor and too small force, for the Privateers that infest Our Coast, the Commander Cap: Edward Chant deserves a better, a light frigatt of thirty Guns that sails well would be of Service.

Mr Dudley is gone for England Mr Pinhorne having removed himself and family hither is admitted again to the Councill board and is one of the Judges of the supream Court. The Revenue is continued but for two Years, notwithstanding my many Endeavours to have it settled upon their Majesties for life, I have used many arguments for it but it is to no purpose, they told me plainly the burthen is so unequall, it cannot be born, Connecticutt Pensilvania

The Inhabitants remove to be Eased of Taxes.

and the Jerseys pay nothing and under no duty, Our Inhabitants flee thither for ease and leave us almost destitute. Wee do now muster three thousand men in this Province, not many Years ago near five thousand[1] pounds I have disolved the last Assembly and called another who are to meet the 7th of September next,

If Pensilvania Coñecticutt and the Jerseys were in the same Circumstance which is best effected by uniting them into one Government the burthen would be light and cause of complaint removed.

[1] "The Assembly did provide for three hundred at Albany this winter six Thousand"—some such words as these are, by a clerical error, omitted in the London MS. Compare Governor Fletcher's letter to the Committee of Trade, post p. 55.—Ed.

I beg your endeavours for the Province and to procure the Forces I writ for by the Packett, the other Publick writings you know best to manage them. I sent Mr Brooks to Bost: to know if Sr Fran: Wheeler had any Cômands for me from their Majtie I am

Sir.

your most humble & obedt servt

BENJ: FLETCHER.

Propositions of the Schaghticoke and Five Nations of Indians, &c.

[New-York Papers, IV. F. 8.]

PRESENT.
Step: Courtlandt
Nichs: Bayard
Peter Schuyler
Esqrs

PROPOSITIONS made by the Schackhook Indians to the Gentlemen of the Council in the behalf of his Excêll Benjamin Fletchêr Captain Generall and Governor in Chiefe of the Province of New-York Province of Pennsilvania & Country of New Castle & the Terrytories and Tracts of Land depending thereon in America & Vice admirall of the same At Albany the 15th day of June 1693.

15 June to 6 July. 1693.

We have been as if in great Darknesse or cloud for some time and now the light is come agâine the Sunn Shines.

We return or hearty thânk's for the presevacôn of or wives and children in or absence while wee were hunting in the winter. Give two bevers.

Twenty year's agoe wee were received as Children of this Government and have lived peaceably ever since under its protection. and seeing severall of or people are deteined Prisoners in New England upon Suspicion to have killed some of their People at Deerfield wee submit the whole matter to the judicious Consideration of his Excêll:, Give 3 bevers.

Our Governor is a great man Wee pray that hee would take care for or future prservacôn & since the French are also Potent Let us have our Eyes open and bend all or Strength against them—Doe give four bevers.

Province of New York &c
PRESENT
His Excêll: Benj Fletcher &c Coll: Steph: Courtlandt. Coll: Nich: Bayard. Majr Peter Schuyler.

PROPOSITIONS made by the Maquas Indians to his Excêll: Benja Fletcher Capt Generall & Governor in Chiefe of New York, Pensilvania &c in Albany the 21th day June 1693.

Rode was Speaker.

Lord of the Swift arrow — A name given to his Excêll: for his Expedicious March to their assistance when the French & Indians had destroyed three of their Castles in Feb: 169¾

Brother Caijenquiragoe

When or Castles were destroyed by the French this Spring you came up very speedily for or Succour and Reliefe which was extreme acceptable to us & when you went away to New York' you Promised to come up this Summer and see us which you have done accordingly Wee are heartily glad to see you for wee were afraid wee should never have seen you any more & wee bid you heartily welcome. Doe give a Bever Skinn

Frother Cayenquiragoe

When you went back to New York this Spring you was pleased to order us to look out and

keep good Scouts & Videtts which Wee have done by sending a Party out into the Enemyes Country who had a small brush with them & gott three Scalp's which being a noisome sight Wee doe not thinke it convenient to bring them forth to o^r^ brother Cayenquiragoe. You and wee have done this togeather for the Ammunition and Provision was yours which wee used in this execution and wee are joyntly concerned in doeing the mischiefe to the Enemy: doe give a bever Skinn.

Brother Cayenquiragoe

Wee must acknowledge that yo^r^ kindnesses to us have been very great' you have supplyed us with Provision & Ammunition ever since the Enemy destroyed our Castles Wee earnestly desire the continuance of yo^r^ favour & affection toward's us for wee are a mean poor people & have lost all by the Enemy. You are pleased to repair o^r^ Armes, when any of o^r^ People breake their gunn or hatchett you cause yo^r^ People to mend them for which wee are very thankfull. We could not stay for the other Nations since o^r^ obligations are greater than theirs & wee have received the greatest kindnesses from you therefore wee come first to return our thankfull acknowledgment & gave a bever Skin

Brother Cayenquiragoe

Before we knew that o^r^ men were deteyned by the people of New England you were soe kind to send an Expresse thither for their releasement this is soe particular a kindness and favo^r^ that wee must return o^r^ thank's in an especiall manner.— When Maj^r^ Schuyler was at Canida with o^r^ people he lost many men. (but the beating of the French that time was the meanes that p^r^served us) Wee have thoughts ever since of supplying the Roomes of those Christians who were killed there, with Prisoners taken from Canida but cannot gett such a number. Nevertheless haveing one now wee freely deliver him to Cayenquiragoe as a p^r^ticular toaken of Gratitude

His Excellency's Answer.

I did not expect to see you before the arriveal of the other four Nations but perceiveing you are prompted by yo^r^ affection & zeal to the service of the great King & Queen of England & gratitude for those mark's of favo^r^ you have received from their Majesties I am heartily glad to see you & well satisfyed w^th^ the service you have done against the French & their Indians by which I perceive you have not lost your antient courage since you dare attacque them in the face of their Castles.

I am come up according to my promise to strenghen the Fronteers, to condole the dead & give you more markes of their Majesties favo^r^ to you but shall differr the giveing of those presents untill the other four Nations are come. I accept the Prisoner from you, & shall be always willing that the warr be made w^th^ honour, & no Prisoners put to death, but in the heat of accôn unlesse for such crimes as doe deserve it by martiall Law I have sent to New England for those of your Nation deteined Prisoners there & hope they will be returned.

You may always depend upon my readyness to assist you, if you give me such notice that I may have time enough to come up to you, You must consider the length of the way it is 150 miles by water & the journey depends upon the chance of wind & tyde therefore be sure to give early notice.

His Excell gave four & twenty brass kettles for the boiling of their Victualls their former kettles being destroyed by the French at their Castles in Feb: last also some bread & rum & invited the cheife Sachim to dine with himself dismissing the rest.

July 2d 1693 about 9. a clock at night The Speaker of the Five Nations with two of the Sachims of the Onondages Nation desired a Private conference with his Excêll: the Governor which was granted them.

Brother Cayenquiragoe

Wee are glad to see you here and are come to discourse with you in private about matters of import. Wee have heard much of a design to subdue Canida with a fleet — or Young men are eager & full of heat to make an end of that warr pray tell us the trueth for if there be no such thing wee must mannage or Youth accordingly

Brother Cayenquiragoe

We have often had changes of Governors here and it was a long time before they could be acquainted with or Constitution and affair's soe soon as they come to understand us they are gone. Wee desire to know how long you will stay Wee would not have you depart. Wee know yor heart is good, You have demonstrated it by yor swift comeing to or assistance with soe considerable a Force when the French & Indians had made an Impression upon or Mohogs Country for which wee return you hearty thank's. Doe Give Seven Bevers.

His Excêll: answered

Brethren

The Great King my Master knows best his own time and Season to make an attack with a fleet to subdue Canida as yet I have advice of no such design whensoever I shall have notice thereof, I shall acquaint the brethren.

As for my stay here it must be only dureing my great' Masters pleasure yet doubt not but I shall continue soe long as to see Canida subdued.

A Speech made by his Excellency Benjamin Fletcher Captain Generall & Governor in chiefe of the Province of New York, Province of Pensilvania, Country of New Castle & the Territories and Tracts of Land depending thereon in America & Vice Admirall of the Same.

To the

Indians of the Five Nations vizt Maquaes Oneydes Onondages Cayouges & Senekes in the Citty Hall at Albany the 3d day of July 1693.

Brethren

When I saw you in this Place last February I proposed to be here early in the Summer at the time the bark would run as you desired.

In this I was disappointed by the Command's of the Great King & Queen of England &c who were graciously pleased to send their Royall mandate requireing me upon reciept of it to repair unto Pensilvania and take that Province into their Majesties immediate care & government

I received this commission in Aprill and the execution of it tooke up the remainder of that month & all the month of Maye. At my return to New York I found myself indisposed but in six day's I was ready for this Journey I have taken care to strengthen our fronteers with recruites of Christian Soldiers & warlike necessaryes.

I formerly told you & must tell you again that or Enemyes cannot easily hurt us unless you

are careless and by yo^{r} drunkenness infeeble yo^{r} Self's this is a vice Strictly to be prohibited & punnished it is a greater shame to martiall men than others it makes their Sleep like death an soe they become an easy prey to a watchfull though weak Enemy. Let me therefore desire you to be sober & vigilant, then you will be always in a condition to make good yo^{r} ground 'till reliefe come or at least to retreat with armes in yo^{r} hands.

The blow you received last winter is fresh in o^{r} memoryes you know it came by a Supine watchlesse humour of my brethren the Mohaques. You also know I marched into Schenectady the same day the Enemy was defeated not far from it, but that is over Let it caution you for the future. Could I have joyned you before the Engagement in all humane appearance very few if any had escaped.

In my last Conference with you I told you that some of yo^{r} young men had killed severall horses of o^{rs} neere Schenectady you promised me that Satisfaction should be made & that all such Irregular accôns should be restrained for the future in which I hope you have taken effectuall care. In my way to this place I met Intelligence of a barbarous murder committed at Deerfield in New England & that three Indians in allyance with this Government were imprisoned there upon Suspicion of the fact. I caused the matter Imediately to be examined & have sent two Expresses to New England to give them the best Satisfaction that I can gather by such Evidence as appears to me here. Since my arrivall two small partyes of the Maquaes came in from Canida with some markes of their Success, by which I observe they retain' that courage for which they have been soe long famed they brought in one French Prisoner which they have p^{r}sented unto me. He informes me that the Enemy lost Eighty men of that Party which they had sent last winter to destroy the Maquaes Castles & that 33 more wounded were bro^{t} into Mount Royall severall wherof since dyed & that the French were upon Quitting all their small Forts to strengthen their great ones & withall that they intend to reinforce Cadaracqui.

I have rec^{d} an Information as if some of the brethren were wavering and inclined to a peace with the Common Enemy I desire to know the trueth of that matter & am assured that such thoughts must only arise from the Instigation of the Jesuit Milett which some of the brethren have soe long suffered to live amongst them & whose only practice is to delude & betray them let me therefore advise you to remove that Ill person from amongst you.

I am now come to condole yo^{r} dead & to assure you of the favo^{r} of their Sacred Majesties the Great King & Queen of England Scotland France & Ireland &^{c} and in their Royall names as their Serv^{t} and L^{t} here, to renew & confirm' the Antient Covenant Chain' not only in behalf of this Province but those of New England Virg^{a} Maryland & Pensilvania & as a marke of their sacred Majesties Esteem' & vallue which they have for yo^{r} Courage & steddy adherence to their Interest & as a Seale of this Covenant Chain which must ever be preserved inviolable I brought you p^{r}sents from their Majesties.

Given them	86 Gunn's	30	Rolls tôb^{o}
	146 baggs Powder q^{t} 800^{l} wth	5½	Gross tôb Pipes
	800 barrs of Lead	9	doz^{n} of Stockings
	1000 Flints in a bagg	30	Kegs Rum 2 Galls each
	87 Hatchetts	200	loaves
	4 Gross of Knives	4	Casque of beer
	5 piece duffells	2	bulls besides salt Provisions
	126 Shirts		

This is besides the following p^{r}sents given to perticular Sachims viz^{t}

8 laced Coats	4 Gunns
8 laced Hatts	6 Keggs rumm
24 Shirts	1 doz^{n} of Stockings

The answer of the five Nations to his Excêll Benjamin Fletcher &^{c} in the Citty Hall of Albany the 4th day of July 1693.

Brother Cayenquiragoe

Wee are involved in a bloody war which causes us to sett in sorrow & griefe & since we are about to speake of matters of import we clear the mouth and throat of the Interpretess that she may speake o^{r} meaning plainly & truely to you doe therefore give her three bevers.

Then haveing repeated some parts of his Excêll speech to them Yesterday. sayd.

Brother Cayenquiragoe

Wee are much rejoyced that the Great' King & Queen of England doe take Notice of us soe farr as to extend their gracious favours to us by soe considerable a present for which wee return o^{r} hearty thank's & more especially for the Gunns & Ammunition.

Wee are glad that o^{r} Brother Cayenquiragoe, renew's & Confirms the Covenant chain not only between us & this governm^{t} but also' for New England, Virginia, Maryland & Pensilvania which Covenant shall for ever be keept inviolable by all the five Nations as long as the Sunn shall shine. Wee pray that o^{r} brother Caijenquiragoe may have A watchfull Eye that none of those Collonyes hold correspondence with the Common Enemy but use their Endeavours to destroy them.

Wee heard nothing of that which you proposed Yesterday concerning the Priest Millett liveing in Oneyde untill wee came to this 'Town'. Wee forthwith made inquiry amongst o^{r} bretheren the Oneydes who told us, there was an Indian sent wth Letters to Canida by Milett which surprized us verry much.

Brother Cayenquiragoe

You are o^{r} great tree whose roots extend's thèmselves to the Outmost Parts of the government. Wee desire you may not be disturbed when any of our prisoners who are o^{r} slaves doe misbehave themselves, for it shall never be countenanced by us but all proper method's shall be taken to p^{r}vent the like misbehaviour for the future.

And in like mann^{r} Wee begg that care may be taken that none of the Prisoner's you have do any harm' or correspond with the Enemy as wee suspect was done by Chevaleer Deaux & that he was sent to Canida with letters by some of o^{r} brethren.

Brother Caijenquiragoe

In former times our propositions were quite otherwise o^{r} discourses were then of Peace & giveing of presents to one another but now the case is altered. Our speeches are now of nothing but Warr prompting one another to Armes as for o^{r} parts Wee are resolved to stick close to the Warr to the last drop of o^{r} blood & altho wee are tossed to & fro' We will remain stedfast to the last man according to o^{r} first Conclusion this Wee acquaint you off, our Great Brother for yo^{r} own' Satisfaction.

Brother Cayenquiragoe

Wee had information in o^{r} Country that o^{r} brother Caijenquiragoe had not only received Command's from o^{r} great King' to be Governo^{r} of Pensilvania But that you were fitting a fleet to goe & take Canida this was extream' joyfull News to us & all o^{r} Youngmen who were to be Commanded by So do garees Sachim of the Senekes, were glad to end the warr at one push to faciliate the fleets success in subdueing that place to remove all our troubles & make an end of this blood shed but to o^{r} great sorrow now Wee hear of noe such designe.

Brother Cayenquiragoe

You are the Great flourishing Tree of o^{r} shelter, that keep's the Covenant Chain bright Wee have one request to make which is that you will be pleased to stay with us & not return' to England, since you are acquainted with o^{r} way's & method's & if there be any thing you have to acquaint the great' King & Queen withall you may write it to them & not goe from us for the King knows you to be a wise man & therefore will believe you.

Brother Cayenquiragoe

Wee are verry glad y^{t} the Province of Pensilvania is come und^{r} yo^{r} government Wee pray that you would bring some of their men heither with their Bow's & Arrow's & Hatchetts in their hands for this is the place of Action which ought to be defended.

Wee are glad that the Showannoes who were o^{r} Enemyes did make their application to you last fall for protection & that you sent y^{m} heither to endeavour a peace with us as also that you have been pleased to send Christians along with them to their Country' to conduct them back againe wee wish they were come to assist us against the Common Enemy.

Brother Cayenquiragoe

Wee begg of you to lett us have a Smith & a gunn stock maker in our Castle to mend our armes when they are broaken.

Now wee have done only must tell you again' that wee are extreamly glad & roll & tumble in joy that o^{r} Great King & Queen have been pleased to enlarge their favours to us in our greatest necessityes & that there is soe much Unity amongst all the brethren.

Doe give 59 bevers great & small
Twenty Otters & one otter Coate
2 Gray foxes
3 Fishers
47 raccoons
17 matters
1 minke
One old wilde Catt Coate.

Albany the 4th of July 1693.

This evening after the Young Indians had ended their sport of killing the two fatt bulls which were presented by his Excéll with bow & arrow & roasting & Eating, His Excellency invited severall of the Chief Sachims & Captains of the most note and bravery on board their Majesties Ketch Albrought rideing before the Citty of Albanye & treated them to their Extraordinary Satisfaction, upon their desire his Excéll gave them account of the success the King of England has had against the French King beyond the great lake of the great victory which the English fleet obtained against the French the last Summer, with the Perticulers of

that defeat also of a great fight that had been on land where o^{r} great King attacked the Enemy in their Camp because they would not come out to fight him where many men were slain on both sydes but that there is noe news yett of this Summers action.

His Excêll did encourage them to manifest their valour & courage against the Common Enemij as their Ancestors have done, reminded them of the Priest Millet that they must expect that all their designes will be destroyed soe long as he is kept amongst them, & therefore advised them speedily to remove that dangerous Person.—His Excellency also bid them be mindfull of w^{t} he sayd to them & true to the Covenant they have renewed which they all promised to observe & keep inviolable whereupon as a seale thereunto his Excêll ordering the fireing of five gunns which they answered with the like number of shouts.

It was Perticularly observed that Odongaowa the long Oneyde who was the only suspected Indian and the most Perticuler friend of the Jesuiet did rise up & sing a song of warr (which after their way is the same with a vow) that he would now presently goe & fight the French praying Indians of Canida & promised further to His Excêll that he would take perticular care that no' letters from Canida should come to the Priests hands but would have them secured at their first comeing & sent down to his Excellency to be read that the poison may be discovered which is hid therein whereupon they went on shoare with great satisfaction. His Excêll ordered them a salute of five Gunns which they answered with soe many shouts after their wilde manner.

Albany the 4th July 1693

His Excêll sent for the Sachims of the five Nations to have private conference & sayd,

Brethren

It is high time for you to goe home to yo^{r} Castles & see they be secured from all attempt's of the Enemy I design to goe to New York' to take charg' of that Trust the Great King my Master hath reposed in me but I must tell you before Wee part that I cannot but take notice that you have omitted the answering these three proposalls which I made to you the day before yesterday.

First about the horses which yo^{r} young men killed I doe hear of no' Satisfaction yet made but complaints come to me every day of things of this nature.

Then relateing to the Priest Millett at Oneyde whom the bretheren of Oneyde doe still harbour among them I must tell you again' that he betrays you & all yo^{r} Councills, and that you may see that I desire not to deminish yo^{r} Number I am willing to give you a Pretty Indian Boy in Liew of the Old Priest and accordingly the boy was brought and delivered them.

And then concerning the two Expresses that I sent to New England about those two Indians deteined in Prison there upon suspicion of the murder Committed at Deerfield.

The Sachims of the five nations answered

Brother Cayenquiragoe

Wee forgott that Article concerning the horses but shall take care that whoever kills any horses or cattle belonging to the Christians the Person or p^{r}sons offending shall make satisfaction for the same.

As for the Jesuit Milett the Oneyde Sachim said he would perform his promise relateing to that matter which was that as soon as the Indian Messenger did return' from Canida all

the letters and papers should be taken from him and forthwith brought to o^{r} brother Cayenquiragoe before the Priest shall see them, I am willing to take the boy in exchange for the Priest but the Priest must stay at Oneyde till the return' of the messinger from Canida I desire the Boy may stay here untill' wee bring the Priest which shall be as soon' as the sayd messenger return's.

Wee are very thankfull to you o^{r} Great' brother Cayenquiragoe for the sending two Expresses to New England about that accident at Deerfield and o^{r} people imprisoned there wee doubt not but in a short time it will be made appear' that the Canida Indian's have committed this murder, And the Brethren of New England who are in Covenant with us must have patience till such cases can be found out, We doubt not but the Governo^{r} of New England is a man of that prudence & conduct who will not be soe hasty since it cannot be long undiscovered.

Brother Cayenquiragoe

We acquaint you that it is proposed by all the five Nations to make Peace with the Dionondadees a Nation of Indians that are in allyance with the French of Canida which will strengthen us and weaken the enemij, the Sinekees who live neerest to them have undertaken to effect this business and doe take presents of Wampum from the rest of the Nations to confirm the peace. Wee desire yo^{r} Concurrance in the matter and that as you are o^{r} Eldest Brother you send tokens also and receive them into the Covenant Chain'.

Whereupon his Excêll replyed that he approved of their proposalls and was willing they should proceed to make peace with the Dionondades and for that purpose gave them a belt of Wampum.

Whereupon the Indians gave five shout's

Albany the 5th of July 1693.

His Excêll after the private conference this morning did further Recommend to the Chief Sachims and Captains of the five Nations the necessity of their Speedy return' to their severall Castles there keeping continuall Scouts to observe the Enemyes motion.—It is reported they are drawing up their forces towards Cadaracqua (which is their uppermost fort upon the lake deserted by them about four years agoe), That his Excêll did not know whether the Enemyes designe was to make an attempt against the Uppermost Nation the Onondages, Cajouges, & Senekes or upon the lowermost the Maquaes & Oneydes did recommend to them to joyn the forces of the Uppermost Nation's as it was formerly agreed to if attacqued promiseing to take care of the lowermost Nations if his Excêll have but timelye Notice of their approach as he did last winter.

His Excellency wished them a safe return' and good success in all their undertakings against the Common Enemy assureing them of the Great King & Queens favo^{r} nothing doubting but that all of them as men of courage & honour will stick close to their Majesties Interest as they have alway's don' since the first Settlement of this Country equall to their Promises & the Covenant Chain which they have now renewed, and bid them farewell.

Whereupon the Speaker of the five nations in behalf of them returned hearty thank's for his Excêll great favours & his care for their Safety assureing his Excêll that they would strictly observe his Comand's & by their future boldness and behaviour against the Enemy manifest their true affection & zeal to his Excêll person & government & thereupon made five Shouts & took leave.

His Excêll haveing a Private acco^{t} of the Great Services of Perticuler Sachims and Captains of this Governm^{t} sent for them to his chamber apart commended their bravery repeated his former recommendation, & presented them by his own' hand's with fashionable laced Coat's & hatt's & severall other presents suitable to their Services which they rec^{d} as a more perticuler sign' of his Excêll speciall favour repeating their former vows & soe departed with signes & expressions of perfect satisfaction more than ever was observed in any former treaty.

His Excêll Speech to the River Indians att the Citty Hall of Albany the 6th of July 1693.

Children. This is the first time I have seen you since my comeing to the government though you are seated nere this garrison & derive yo^{r} protection from it.

I have now sent for you to lett you know what part of yo^{r} conduct & behaviour I like and what I dislike, some of you have done well & like valiant Soldiers in joyning with the five Nations to attack the Enemy in Canida this deserves commendation.

But on the other hand its very unlike Soldiers and dutyfull children to draw out the whole force of yo^{r} Castles to hunt leaving yo^{r} weomen & children exposed to the accidents of hardships which attend a Country ingaged in warr against soe watchfull an Enemy as this is.

For the future you must give Notice & have permission to goe on these occasions & take care to leave a sufficient force behinde you.

There is another stupendous folly you are guilty of when your hunting is over you'll set down' nere some place where in a few day's you drink out what has cost you the labor of some month's & then come home beggars as you went, the evill consequence of this appeared lately unto you at Deerfeild & I hope will caution you for the future but I must advise you that from henceforth you bring all the effects of yo^{r} hunting into yo^{r} own' Country, which by prudent managem^{t} will support you the rest of the year'.

I am informed the Enemy comes in small party's & doe mischief here killing some takeing others captive it's o^{r} duty & will be yo^{r} honnour to send out Partyes to cleer the wood's and knock such on the head & for yo^{r} encouragement you shall receive a reward of fifty Shillings for every head you shall bring in which is killed within three miles of this garrison or Schenectade.

I now renew the Covenant with you & take you und^{r} the Protection of the Great' King & Queen of England &^{c} and expect you will endeavo^{r} to deserve the favo^{r} of their August Maj^{ties} by yo^{r} strict adherence to this Covenant and yo^{r} due obedience to all the directions & command's of my self or others their Majesties Governours of this Province

Gave some Presents

The answer of the River Indians to his Excellency the 6th of July 1693. interpreted by Robert Sanders.

Father

Wee thanke you for yo^{r} great' care over us & wee shall observe all yo^{r} directions & Command's now given us. You are that high tree und^{r} whose branches wee shelter whereby our old men weomen & children have been protected in o^{r} absence from the late incursion of the French o^{r} Common Enemij, Wee shall not for the future go abroad a hunting or against the Enemij wthout leaveing a sufficient guard, Wee will make frequent round's from this Citty

on both sydes the River to discover the sculking Enemy & doubt not but o^{r} youngmen shall receive the promised reward when they bring in the heads of those lurking foxes.

Father

Wee give our hearty thank's for sending two expresses to New England on o^{r} behalf. Wee assure you that wee are Innocent of the mischefe done at Deerfeild & soe are likewise those Prisoners that are there in Custody beleive us o^{r} hearts are good and wee desire only to live und^{r} yo^{r} protection in peace & quietness.

Father

Wee return' you also o^{r} hearty thank's for renewing and makeing bright that covenant chain' wee will alway's Oyle and greeze it that it shall never Rust but be kept inviolable with you o^{r} father and with all the brethren of New England Virginia Maryland & Pensilvania and thereupon presented his Excêll with half a belt of Wampum.

M: Clarkson Sêcry

(Endorsed) New York Añ 1693

Account of severall passages of the treaty of his Excêll Ben: Fletcher Cap^{t} Generall & Govern^{r} of New Yorke &^{c} with the Indians of the five Nations in June & July 1693

Rec^{d} 26 Septemb^{r} 1693 from Coll: Fletcher.

Major Peter Schuyler to Governor Fletcher.

[New-York Papers, IV. F. 11.]

May it please your Excellency

Last night about Eight a Clock Jurian the Maquase whom I had sent to Onondage with some River Indians to get the certainty of the late news of the French comeing upon the 5 Nations arrived here & said it was all stories; But he had letters from Canida the Jesuits messeinger being returned two days before he came to Oneyde, I was in hopes the Oneydes according to their promise had taken the Packet before it had come to the Jesuits hand & soe sent it hither but perruseing the Superscription found there were two letters directed to D^{o} Dellius the one from the Jesuit himself the other from the Superior at Canida I asked why they did not take the letters & send them heither as yo^{r} Excêll had commanded but Jerian tells me the Jesuit hath as great authority in Oneyde as any Sachim of them all & rules the roast there soe that little good can be expected so' long as they are guided by our Enemy. yo^{r} Excellency will perceive what the French would be at by the sayd two letters to D^{r} Dellius w^{ch} I beleive are writt by the Gov^{r} of Canidy's Induction Therefore I shall not need to comment upon them. I thought this business of such moment that I was once in the minde to come down' & waite upon yo^{r} Excêll for advice but feareing other accidents might happen in the meane time I have perswaded D^{o} Dellius & M^{r} Livingston to goe down' express & waite upon yo^{r} Excêll to give you a full Information of the businesse I need not informe yo^{r} Excêll how weary the five Nations are of the Warr nor of what bad consequence it is to have such a gén^{ll} meeting at Onondage devised by the French to divert them from annoying his terrytories or makeing any

incursions upon his fronteers this Season, Or probably to spinn out time till he be ready to make some attacque upon them or us, Since I presume he dare not leave Quebeck for the present. It is without all doubt he has some great design' that he is so' earnest to make a peace with the 5 Nations or else it must be very low with him if soe its a pitty our fleet should slip the oppertunity. Jurian tells me the messenger at Oneyde braggs much of his strength, of their fortifications at Quebeck, number of men fyreing morter peeces & such stratagems. I was once resolved to send Jurian the messenger back againe to disswade them from any meeting (which will not be effected without difficulty) being only invented by the French to amaze them & withall to Incourage them to prosecute the warr against Canida with all vigor as they engaged to yo^{r} Excêll but thought fit first to acquaint yo^{r} Excêll & waite yo^{r} Excêll Command's which I pray may be dispatched as soon as may be, for I keep Jurian here till yo^{r} farther ord^{r} I have nothing to add but that I am

Yo^{r} Excêll most obed^{t} Serv^{t}
PETER SCHUYLER.

Albany 25 July 1693
in the Eveninge.

A true Copy
(signed) M: CLARKSON Sêcry

(Endorsed) Maj^{r} P. Schuyler.
Intelligence July 25th 93
from Albany
Rec^{d} 26 Sept: 1693
from Côll: Fletcher
B: F:
P: 11:

Reverend Claude Dablon to the Reverend Godfredius Dellius.

[New-York Papers, IV. F. 9.]

From Quebeq in Canida the first of July 1693.

Sir

Father Milett who is among the Indians at Oneyde a prisoner has let me know the bounty you have for him and the charity which you have exercised towards him by the presents which you have made to him in his necessity I pray God with all my heart to recompence you which doth not hinder that I find myselfe obleiged to return to you my acknowledgements by this letter and to assure you if I could render you any service here or elsewhere and if there was anything in the countrey of Canida which was agreeable to you it would be great satisfaction to me to demonstrate how much I am sensible of the benefits you have bestowed soe graciously upon that poor ffather. I presume still to desire you S^{r} to continue if possible to assist him in his necessity & I will order you satisfaccôn in what port of France you please either at Rochell or elsewhere where you can have a correspondence and to let me know it either by the same father Milett or any other way for I shall spare nothing of what is to be payd for that which you shall be pleased to furnish him with it will be an augmentation of the

goodnesse you have towards him and obleige me to acknowledge the same more and more before God expecting the same occasion may p^r^sent to manifest by the effects that I am with all my heart due respects & possible gratitude

Sir

Y^r^ most humble & most
Obedient Serv^t^ in our Lord
CLAUDE BABLIN.[1]
Superiour of the Jesuits of Canida

To Monsieur
Monsieur Godevridus Dellius
At Albany

Reverend Father Milet to the Reverend Mr. Dellius.

[New-York Papers, IV. F. 9.]

Oneyde 31^th^ July 1693.

S^r^ the peace of Jesus Christ

I ad these few lines to the letter which our Reverend Father the Superiour hath write to you which is to advise you that Tarriha my brother and hospes (who was gone to Canida as the Oneydes did signify by a belt of wampum which was sent to Albany) is returned he brings with him a collarr of wampum accompanyed with a letter by which the Count of Frontiniac Govern^r^ of Canida doth declare to us that it is none of his fault that the whole world and above all the Iroquis Indians (being the five Nations doe not come to a peace altho' he is in a condition more than ever to resist his Enemyes and annoy them when he shall see cause.

He hath put a stop to all the fighting partyes who joyned together and were ready to depart upon their severall designs and he himselfe as was said to be upon the way and above Mount Reall has promised to Tarreha not to proceed till the term of two months be expired that he lett him. Moreover he invites all the Iroquois Indian Nations to send each two Deputyes to treat with him of means to procure a peace w^ch^ the Christians of Oneyde have desired of him.

He promises an intire assureance to the said Deputyes in comeing and goeing lett the issue be what it will.

You shall if you please let all your Gen̄t know the whole premeses that they may not on their parts hinder or obstruct the great good of a peace which is wished by all people of good inclinations aswell as by the Christians of Oneijde who doe pray all the world to make it their interest to assist and favour them in soe pious a designe I am with my heart and respect

S^r^

Yo^r^ most humble & most
Obedient Servant in Our Lord
PIETER MILETT of the Company of Jesus.

The Oneydes causes me to add that the young Indian boy be not brought them which they would have given them at Albany but that some body may be brought to them who understands the Scriptures well.

Juriaen the Maquas being come here with some River Indians to informe himselfe of the present affaires he has understood by Tarriha that the Indians of Canida have brought nine

[1] Claude DABLON. — ED.

scalps from towards Boston and that Sajatese and Onontaquirott are named to be the heads of that party who have done this fact soe that he beleives that the Maquaes & River Indians who are put in prison at Pekamptekook are wrongfully accused and he and the other Indians complain that they are scandalized by false suspicions and that they are alsoe calumnized as we see now that the letters were which were sent to Onondage 3 or 4 years agoe of which was said quite contrary things than the letter did import. Wherefore they desire me to add that nothing may be altered in the last letter which they cause me to write. I have read the same before the French that are here and keep a copy of it and all shall be examined in the meeting that is to be held at Onondage. I would add more things to this but time will not permitt. I am a servant of the English and am ready to sacrifice my selfe for them if they would only let me know wherein I can serve them.

The Reverend Father Lamberville writes me from Paris that he see M^r^ Nelson there who was taken prisoner towards Boston he says likewise in short of me that I am a servant of the English and that if they know us they would not mistrust us as they declare they doe. I am obleiged to them that they have declared they have wished to see me released from that imprisonm^t^ of the Indians but it seems it is God that keeps me there and I beleive that none but he can deliver me I alsoe comfort myselfe in my imprisonment that I am a prisoner of Jesus Christ.

I pray again that the English Gentlemen would remember that I have formerly contributed to the sending home of seven English who were prisoners there they passed all throw Albany and among the rest two young children who were cloathed in black of my own cloaths their mother told me if ever I came to Virginia or Maryland that she would come tenn miles to meet me—the last that was sent was a young girle which the Annastogus had brought prisoners here for which Maj^r^ Andros who was then Governor of New Yorke did promise four Indians women. I am not in the least thanked hitherto for it probably he was gone to England when the girle was sent back. Be it as it will We expect noe reward but from God I say this only to witnesse that I am a Servant of the English Gentlemen & its known in Canida and in France.

I add this to that it is the same Count de Frontiniac who sent formerly twenty English throw Albany back to Boston and that he took the hatchett from the River Indians who had taken them prisoners I knew that the Envoys who conveyed them were received with trumpetts sounding at Boston and well treated during the 6 dayes they were there &^c^.

From whence is it then that the troubles doe continue soe long and that it is refused to hearken to a good peace which would prevent the killing and murdering of the people as is now done.

The innocent suffer with the guilty

A true Copy

(signed) M: Clarkson Sêcry

Endorsed N. York 1693.

The Copy of the translation of a letter from Milett Jesuite prisoner at Oneyde one of the free Nations of Indians & anoy^e^ from the Superior of Canida M^r^ Godfry Dellius Minister of Albany &^c^

Rec^d^ 26 Sept: 1693

from Col^l^: Fletcher.

B: F:

P: 9:

Governor Fletcher to the Sachims of the Five Nations.

[New-York Papers, IV. F. 28.]

Brethren

I am strangely surprized that notwithstanding the solemme vows latly made at Albany when wee Renewed the ancient covenant chain you promised to keep bright and clean soe long as the sun shall shine after all this the Oneydes should receive a Belt of peace from the Governour of Canida and propose a meeting of the Sachims of the Five Nations Mahikanders & Christians with seaven hands of Wampum, to consider of an answer thereunto They should not have defiled their hands by touching of it, 'twas there Duty to have sent it with the Packett of Letters immediatly unto me and to have delivered that old Preist in Exchange for the young boy according to their promise.

Brethren

You know Albany hath always been the antient place of treating when the Showanno^{s} came to New Yorke to make peace I would not hear them speak untill they went to Albany and the brethren were present.

I have often told you that the Preist Milett would betray all your Councills soe long as he lives amongst you which now plainly appears for he hath refused to deliver the pakett from Canida to be sent unto me least the poison should be discovered.

Brethren

Since it is manifest that it is by means of that Jesuite Milett that the Brethren of Oneyde are soe farr deluded as to receive the belt of Wampum hold correspondence with your and our enemy & propose a meeting at Onondage to consider of an answer to that poisonous belt all which defiles the covenant chain I doe expect that you will abhor the thoughts of consenting thereunto and for a further testimony of yo^{r} iñocency in this matter cause the old priest Milett with all his papers to be sent unto me according to the promise and agrement that our peace and quiet and the unity amongst the brethren which hath continued soe long, may not now be broaken & disturbed by his means but flourish while the sun shines.

Brethren

If the Governour of Canida had proposed first peace to me I should have sent for you to the wonted place of treaty at Albany and made you acquainted therewith, and unlesse I doe advise you thereof you are not to hearken to the Governour of Canida or any other not to hold any correspondence without my knowledge & consent if you observe the covenant chain.

You know I have been ready to come to your assistance and am not afraid of any force which the Governo^{r} of Canida can send I am still true & stedfast to my promise and will continue to give you all the protection and assistance which is needfull soe long as you prove stedfast to the antient covenant chain.

I am yo^{r} freind and elder
brother
Ben Fletcher
Caijenquiragoe

Fort William Henry
the 31th of July 1693

To my brethren the principall Sagamakers
and Sachims of the Five Nations of Indians
belonging to the Province of New Yorke.

A true Copy M: Clarkson Sécry

(Endorsed) Copy of a letter sent by his Excell Ben: Fletcher Governor of New Yorke to the five Nations of Indians in that Province in prvent their being deluded to joyne the French in Canida the 31th July 1693.

Recd 20 Dec: 93
frô: Coll: Fletcher
B: F:
P: 28:

Abstracts of Governor Fletcher's Letters to the Committee.

[New-York Entries, III. 48.]

Collonell Fletcher by his Letter to the Committee of the 18th August 1693 acquaints their Lordships.

That pursuant to her Majts Commands he put a stop to Proceedings upon the Recognizances taken from Persons concerned with Leisler, but severall of them had been Estreated and the money desposed of for the support of the Government, which the Parties concerned desire may be restored to them for which he has no order, nor can the money be spared, the Government being already Considerably in Debt.

Governor Fletcher to the Secretary of State.

[New-York Miscellany Bundle, S. P. O.]

New York August 18th 1693.

My Lord

The want of a seale for the Province of Pensilvania is some obstruction to theire Majties affaires theer, I cannot legally make Judges, Justices, Sherrifs or pass any graunts theer which will bee valid. The annexing this Provce to New Yorke will heale that sore, otherwise I humbly begg a seale may bee sent.

Some Quakers who have acted in the Govt by Mr Pen's Comission and are very fond of Lording it over theire bretheren, are now sending theire Delligates to Court in hope to gett Mr Pen restor'd or themselves impower'd to Act, or at last if these faile they desire to bee under the Governt of Mary Land; these have all declined to Act under theire Majesties Comission; Mr Tho: Lloyd late Govr under Mr Pen, I observed creep away when hee sawe mee order theire Majesties Comission to be publish'd, yett I sent for him presently after, and offered him the first place at the Councell Board, well knowing hee would not accept it; I tooke care theer should not want witness of his oppinion, who express'd theire sense of his pride, as they had before dureing the tyme of his acting as Governor.

The others are less people: David Lloyd, Tho Duckett, John Simcock, Griffith Owin, John Bristow, but they have all as much as in theire [power] lay endeavired to baffell my endeaviors in that Provce for theire Majties service.

I received an address from the peaceble and well affected freeholders, and inhabitants of the Towne and County of Philladelphia sign'd by one hundred and odd hands (wch I send) acknowledging theire Majesties favor, and the other Countys I heare are seuding addresses of the like nature, by wch your Lordp will see these, who will trouble you, are only a faction.

I have by a shipp the Happy Jane sent your Lordp an account of my proceedings theer with the names of the Officers ettc, the minutes may bee divertive if your Lordp can spare tyme to reade them.

My Lord, I am your Lordp most
humble, faithfull and most obedient servant
BEN FLETCHER.

Memorial of Colonel Lodwick to the Lords of Trade.

[New-York Entries, III, 50.]

To the Right Honble: the Lords Committee for the forreign Plantations

Charles Lodwick on the behalf of his Exellency Benjamin Fletcher their Majesties Governor and Council of the Provinçe of New York in America most Humbly layeth before your Lordships the present State and Condition of that Province.

That the Burthen and Pressure it lies under being deeply in Debt, their Treasure being Exhausted their men wearyed out with continuall Guarding the Fort of Albany, which forces them to leave their private affairs and neglect their Husbandry, whereby great quantities of Corn has been usually produced and yearly carried out for the sustinance of the Sumêr Plantations and the Indian Trade being wholly stopt which is the only maintenance of the Inhabitants of Albany, for want of which Trades and continual charge of the warrs without the assistance of the Neighbouring Provinces it is altogether impossible for them longer to support themselves against the French.

That not withstanding their Majts Lettrs Mandatorie to the several Governments to assist this Province lettle or no assistance has been given or can be hoped for through the remoteness of some, Governments and Excuses and delays of others.

That Pensilvania being most Quakers will give no men or money for warr unless they were joined to the Government of New York, by which that Province may be able to out vote them.

That this Province lying under heavy Taxes and Pressures, most of the young men and those that can any way remove, depart this Province to the neighbouring Government where they are wholly free from Tax or any other Contrybution towards the Common Security, to the great discouragement of this Province.

That the Colony of Connecticutt is full of People, seated near and convenient for the assistance of Albany and our Transportation to the frontiers is extream Chargeable and uncertain depending on wind and tides for a hundred and fifty miles up the Country, when they from Connecticutt can March in two days by Land.

That our Canton Indians who seem to stagger and are inclinable to make peace with the French of Canada through the Want of those usual Supplies and presents which hath Yearly lost this Province about Seaven hundred pounds will henceforth during the warr require double that sum which this Poor Province can not long supply.

That should these Indians be induced to make a Sepperate Peace, the Fort of Albany and the whole Country would unavoidably be lost, and with them our Indians who are Cheif Bulwarks irrecoverably fall to the French and become Our Enemies.

By which means not only this Province would be Exposed to the French, but more Imediately Virginia and Maryland they having no Fortifications but lying in remote Settlements, would be continualy exposed to the Ravages of very small Parties, and be in great danger of being lost.

Wherefore the Governor and Council humbly pray your Lordships that the Stores they have desired for the Supply of the Garrison at New York and Albany, may be sent thither as soon as may be.

That four Companies of Foot may be sent to reinforce those Garrisons and maintained at the charge of their Majes^{ts} there during this Warr.

That Conecticutt New Jersey and Pensilvania may be added to the Government of New York thereby to strengthen that Province being the Frontier of all the North Parts of America against the French.

That some money may be sent thither yearly during the warr towards the necessary charge of Presents to the Iudians.

That all the Governments upon the Continent may be ordered to contribute proportionably in Men and Money for the defence of Albany during the Warr.

CHARLES LODWICK

Abstract of Governor Fletcher's Letter to Mr. Blathwayt.

[New-York Entries, III. 90.]

Coll: Fletcher in his Letter of 5th of October 1693 to M^{r} Blathwayte writes.

Exts from Collonel Fletchers Letter to Mr B about p'sons under Sentence of death for assisting Leisler.

That his Majesties Order directed him to discharge all Recognizances and Proceedings upon Leisler, Commanding the Fort &c, which he supposed a warrant for opening the Prisons which he did and studiously endeavored to accomodate the heats he found between the Parties. Severall of y^{e} Prisoners being under sentence of death, he advised them to make application for their Pardon and offered his Interest to procure it; but they continue positive not owing their liberty a favour or departing from the Justification of their Crimes. But on the Contrary some of them stood and were Elected of the Assembly which he could not suffer, this they say is setting up the

Arbitrary Power, the other Party say it is no less to releive them, he hopes he shall be warranted for the release of the Prisoners, and desires they may be pardond or Executed, they will not own a crime but persist that what they did was for King William and Queen Mary, Yet he would willingly heal the wound and desires directions in it.

The names of the Persons under Condemnation

Gerardus Beeckman	Johannes Vermillies
Mendert Courteen	Abraham Brazeer
Thomas Williams	Abraham Governeur

he was like wise convicted of Murther for which he had also sentence of death.

Governor Fletcher to the Committee of Trade.

[New-York Entries, III. 59.]

May it please your Lordships

the Commissn for Comd of the Militia of Connecticutt received

Their Majes[ts] Ship the Richmond Capt: John Evans Commander arrived at Sandy point the first Insant I have received the Commission for the Command of the Militia of Connecticut Colony, which I shall observe and one hundred and twenty Arms for Dragoons which may be Serviceable upon a Suddain attack.

Recruits of men & stores at Canada.

I am advised Count Frontiniac Govern[r] of Canada hath gott 500 men and recruits of Stores of warr Artillary &[c] this Summer from France I expect he will trouble us this winter with a greater Force then in February last, their design (as we understand it here) is at least [to] Compell our Indians to a Peace, Our Indians are become very weary of the Warr and indifferent to us, it is plain they cannot continue long neutrall.

The Indians discouraged by Sr Francis Wheelers doing nothing.

S[r] Francis Wheeler coming to Boston with the Squadron of Ships and doing nothing hath almost quite discouraged them, the French outbid us in presents but have not yet prevailed, Our Indians upbraid Our neighbouring Colonies with Sloath and Cowardice, the first nation of our Indians called Mohaques are mostly distroyed by the War, some of them run over to Canada, a French Jesuit (Milett) who has been many years a Prisoner amongst the Oneyds, hath gott such Interest with that Nation and the other three, they cannot be prevailed upon to surrender him tho' I have proferr'd a Sum of money and an Indian Boy in Exchange for him, and promised not to hurt his Person that Jesuits turning doth much harm to our Indians, I am resolved to remove him if possible.

A French Jesuit among the Indians.

the Militia not 3000 families removed dayly.

The Province of New York is hardly circumstanc'd at present we do not now muster 3000 Militia formerly five thousand; more Families are dayly removing for Pensilvania and Conecticutt to be eased from the Taxes and detatchments,

300 men raised for Albany

The Assembly have provided for 300 men to be at Albany this winter, (too small a number by half to Justify fronteers) and £6000 to defray the charge of one year, to expire the first of May of next The Revenue doth not defray the charge of the Government the Warr augmenteth the incidentall charges, there are other

The Revenue cannot defray it.

funds for support of Albany cheifly by Taxes since the arrivall of the late Governor Sloughter the Frontiers have cost this small Province about £20,000 which lyes heavy upon the Inhabitants.

Pursuant to their Majes^{ts} Commands to the Govern^{rs} of their severall Colonies and Provinces upon the Main of America, I have wrote to desire a Commissioner may be appointed from each to meet at New York on the fourth of October instant to concert and agree of a Quota of men and money from each Colony and Province for the defence of the Frontiers during the Present Warr, S^{r} William Phips hath given a denyall, notwithstanding their Majes^{ts} possitive Commands as may appear by the Copy of my Letter to him and his answer. S^{r} Edm^{d} Andros hath sent one, none came from Maryland, Pensilvania deny the carnall sword, nor will they dip their money in blood, they add nothing to us but trouble being a distinct Government and y^{e} Plurality Quakers, Connecticutt hath sent a Commissioner, I find nothing will be done, those who are here pretend they cannot proceed to adjust a Quota without other Commissioners, which when it will happen I cannot divine, since some have the boldness already to give deniall to their Majes^{ts} Royall Commands, I send here with a Copy of the scheme of the Quota's proposed to the Governors for your Lop^{s} Consideration.

The Comissioners from the Colonies meet but nothing done.

A Schem of the Quota sent over.

Virginia did send us six hundred pounds New York money, and Maryland three hundred pounds ster: before they knew of his Mat^{ts} Order for the five hundred pounds and two hundred and fifty pounds. S^{r} Edmund Andros writes he hath sent so much as will make the former £600 five hundred pounds Ster:, And Coll: Copley did write that he had over done their Majes^{ts} Orders although the former Summs were given by the Consent of the People in Assembly whom we have thanked for it as a neighbourly kindness flowing from the sense they had of Our hardship, and the benefit they partake by our Protection, We must acknowledge the latter favour more immediatly to their Most Excellent Majes^{ts}, tho' at present disappoint of the benefitt thereof, East Jersey hath given us four hundred pounds and Sixty five men who are now at Albany, I attribute this Cheifly to the Good Principles of Coll: Andru Hambleton their Governor who is ready on all occas^{ns} for our assistance.

Virgina and Maryland discount the money already sent.

65 men from New Jersey.

Connecticutt as your Lordships will perceive (by the Copy of M^{r} Bulkleys Letter) are preparing to withstand their Majes^{ts} Commission for my Command of their Militia, it shall not move me from my duty they have levyed a Tax of one peñy a pound upon the People for Maj^{r} Winthrop who (I am inform'd is to be their Agent and goes home in the Mast Ships, it is said the East End of Nassau Island part of my Government, do join them in this application that they may be lopp'd off from New York and joined to Connecticutt.

Connecticutt will withstand the King Commission.

Wee are not able to build a stone Fort at Albany which with good Artillary and fewer men than now requisite would make a better defence, that Fort is already rotten out of repair and will cost a great deal from time to time to renew it Our wood in this Countrey will not last as the wood of the Northern Parts, This Province cannot hold it thus longer, their Majes^{ts} large Territories upon this Main are so divided in Government and circumstance from one another they drive private interest, and though we be a numerous People, yet weak exposed to the Enemy and fitt for no design. It falls to our share to be in the first line of Battle.

More Men or a Stone Fort wanted at Albany.

I heartily wish for another Squadron of Ships with Land Forces to put an End to the matter next Sûmer, we are blessed with abundance more health in these Northern Parts than the Leeward Islands.

Stores wanted. I have desired more Artillery and stores contain'd in a list of them under Covert of the Boxes with Packetts directed to M^r^ Blathwayt by the happy Jane and the Dolphin, I humbly beg your Lordships intercession for them and for twenty Great Guns more and that they may be longer than those I brought over with me, which it seems were never proved, the first I tryed splitt, Our Rivers are broad I have sounded in sev^ll^ places between the Fort at New York and Sandy hook, and design to make a Platforme on the Out most Rocks under the Fort and Errect a battery thereon, it is so designed that by the swiftness of the tyde no ship can ride before the Town, but must have her Stemm or Stern towards it, The powder wasts apace being necessitate to supply the Forts at Albany and Schenectudy and the Fusileers out of their Majes^ts^ stores.

A new Platforme raised at N: York.

If the taking of Canada is not Expedited next summer, I humbly offer the necessity of building a Stone Fort at Albany and sending over four Comp^s^ a Granadiers with Pay to ease the People and Taxes and detachments or they will all go into the neighbouring Provinces they decrease a pace by the loss of that Post with the Indians (which doth Consequently follow) Virginia and Maryland will be in great danger, I humbly beg that the two Companies may at least be recruited to two hundred.

Our detachments came in slowly, most of them without Arms, I do likewise desire your Lo^pps^ will procure 200 light Fuzees for a Present from their Majes^ts^ to [the] five Nations of Indians, they will not carry the heavy firelocks I did bring over with me being accustomed to light small Fuzees in their hunting.

I have lately called an Assembly[1] only settled for two years, but could not carry it, they have never the less given it for five years longer, the People give this reason, The Rivers on both sides are free of any duty upon Trade whilst this is clogg'd, and to give it for life may be presidentall and will entail an inconvenience upon them if their Neighbours be not brought under the same dutyes.

The Revenue settled 5 years.

I have gott them to settle a fund for a Ministry in the City of New York and three more Countys which could never be obtaind before, being a mixt People and of different Perswasions in Religion.

And a fund for the Ministrs of N: York and 3 other Counties.

I have sent herewith a Copy of Maj^r^ Dirck Wessells Journall and sundry other papers for your Lordships Information.

Advice of the approach of the Enemy

I have within two days [heard] of the approach of the French to Albany as your Lordship will see by the Copyes of Maj^r^ Schuylers letters of the 3^d^ and 5^th^ instant, I am despatching what force I can gett in readiness thither. I am bound îmediatly to Connecticutt to Publish my Commission and gett assistance from thence and March Strait to Albany if there be occasion

He is going to Connecticutt for assistance.

I shall not fail in my duty to their Maj^ts^ but beg leave to [inform] your Lordships that tho' I have a difficult and troublesome post yet a farr less Salary than either the Govern^r^ of Virginia or Maryland.

May it please yo^r^ Lo^pps^

I am

Your Lords^ps^ most obed^t^ humble Serv^t^

Fort William Henry
the 9^th^ October 1693.

BEN: FLETCHER.

[1] "with designe to have the Revenue continued to their Maties for their lives which had been" — *New-York Colonial Manuscripts*, XXXIX. — ED.

Chidley Brooke Esq., to Governor Fletcher.

[New-York Papers, IV. F. 29.]

Boston August 2: 1693.

May it pleas your Excellence

On the 27th ult: about 7 at night I came to this town, and immediatly went to wait on his Excèll Sr Will Phips, and Sr Fran: Wheeler at his Excèlls hous. I there deliver'd your Excèlls letters to them; and did expect Sr Will: would have ask'd me som questions relating to N: York but instead thereof, he entertain'd us with a flatt Harrangue, of the expence N: England had bin at since the present warr; the poverty of its' people &c—I suppose to soften me that the answer to such things I might have directions to demand from him, might take better impression. I sayd little that night he desired I would com to his hous Next day; wch I did twice; but found him not at home, the like I did the following Day in vain.

The first Inst: about 11 in ye morning I went again, in company wth Côllnll Depeyster, Mr Hancock and som others, wee were then so fortunat as to find him at home, and wth him a gêntln of his Councill he desired us to sitt down, then ask'd how your Excèll did. I told him, well; but stru[gg]ling hard to support a tottering govern^t that must (maugre all your endeavours) fall to rûin, if speedy assistance were not sent by him and the rest of the neighbouring governrs (pursuant to their Maties letter to him &ca) to enable us to defend the fronteers at Albany. This put him into a ferment. I waited till his passion coold a little; then told Him the ill circumstances York lay under; the wavering temper of our Indians; their weariness of the war; The great presents your Excèll was forced to give them when last at Albany; The great taxes repeated upon us. The harrasing of our people (to the great depopulation of the Province) for the defence of the fronteers. The high tax we now bow under. and what I thought might inform him well of our condition. Then I proceeded to demand 200 men (furnish'd at all points and to be pay'd by his govern^t); as a fit quota from the same; pursuant to their Majties said letter then in his custody; and told him it was your Excèlls directions to me to demand that number as a resonable aid from the Matatusets Colony. This put him into a rude passion. what he said was loud & angry; but so confus'd I knew not what to make of it.—at length I could understand him to say; I will not send a man nor a farthing of money to the assistance of N: York. and (continued he) 'tis a monstrous thought to suppose I should. I could not forbear replying in these words, 'tis then Sr the monstrous thought of the Queen. how? how? (said hee) a monstrous thought of the Queen (Repeating them words three or four times angrily over) Yes (said I) for had not her Majtie and the Councill of England thought it reasonable and requisite that you and the rest of their Majties Governrs should send aid to New York, no letter had bin directed to you or them to that end.

The next thing I mov'd to him was that he would send Cômissionrs to New York, in the begining of Octobr next, to meet those from the other Govern^t that the proper quota's of men and money may be agreed upon, to be sent to N: York from each Govern^t, pursuant to that letter. This agravated his former heat, and made him angrily say; if they have no other business no Commissrs shall com from me.

I found his reason was Drown'd in passion and the Storm increasing, so thought it high time to leave him.

The gêntln of his Councill present, al the while seemed asham'd of his behavior, and desir'd me to blame his education for what I saw. I told him his Governr was very hott. he Returned; Sr you must pardon him 'tis dogg-days he cannot help it.

I do observe the people here are highly tax'd and no less displeas'd at the ill penniworth they have for their money their Govern^{r} is little fear'd and less lov'd. He selects his company out of the mobb, for the most part, amongst whom noys and strutt, pass for witt, and prowis; Some few of the better sort pay him respect and complement, for their eas sake, rather than any esteem they have for him; the rest redicule him.

Severall of their late assembly have told me; they could have no account of y^{e} Cuntrys money, when required: nor any reasons why the Cuntry was so much in debt. That his whole managery was crooked, bending much more to his own intrest than the good of the people.

New York in the midst of calamities has this comfort that her taxes are apply'd purely in her defence, and to acquire her safety only. that the acc^{ts} of publick money are at all times (if desired) layd before the Assembly that your watchfull care and steady guidance gives her people all the reasonable hopes of safty their circumstances will admitt. all which is wanting here.

By next post I will give your Excellence what has past between S^{r} Fran: Wheeler, and me. and at this time begg leave to conclud

My self what I must ever be
May it pleas your Excellence
Your Excellencies most ffaithfull
and most obedient Servant.
CHID: BROOKE

Endorsed Chidley Brooke Esq^{r} to his Excêll Ben: Fletcher
Aug^{t} 2^{d} 93.

Rec^{d} 20 Dec: 1693 frô Coll Fletcher.
B: F:
P: 29:

Journal of Major Dirck Wessel's Embassy to Onondaga.

[New-York Papers, IV. g. 43.]

The JOURNALL of Maj^{r} Dirk Wessell's being sent by his Excêll Benjamin Fletcher Cap^{t} Gen^{ll} & Govern^{r} of New Yorke &^{c} to the Indians of the five nations with a letter to prevent their meeting at Onondage to consult of an answer to a belt of peace from Count Frontiniac Governor of Canida & to urge them to cause the Sachims of Oneyde deliver up the Jesuite Milett in exchange for an Indian Boy according to promise.

1693 Aug 5th I begunn my journey from Albany & came that night to Schenectady.

6th I gott to the first Castle of the Mohaques where I was inform'd of one Mohaq with four Indian women & a girle run over to Canida.

7th I passed the 2^{d} Castle & came to the third where the Sachims of the 1st 2^{d} & 3^{d} Castles of the Mohaqs being mett I communicated his Excêll letter to which they answered.

Tell Brother Caijenquiragoe it is our opinion that the upper nations ought not to have heard the proposalls made by the Governor of Canida but to have rejected them without answer neither ought there to be any generall meeting at Onondage, as for our parts we will not goe up to them but will be obedient to his Excêll Commands.

Concerning the Jesuite Milett We judge it convenient two of our Sachims goe along with you with a belt of Wampum to desire the Jesuite and his papers may be delivered up to Caijenquiragoe according to promise lately made at Albany.

Having no belt of Wampum ready they desired me to tarry till they sent for one soe I tarryed one day while their messenger was gone for the belt. I understood by their discourse they had inclinacôns to be at the meeting at Onondage which I opposed and told them I have their answer already only tarry for the belt that I may show in the meeting that it is your advice the Jesuite and his letters be surrendred up to Caijenquiragoe

Whereupon they gave to Jurian & Joseph who accompanyed me 7 hands of wampum.

August 9th I proceeded for Oneyde and on the way mett two messengers who were to call the Mohaques to the Generall meeting and told me the Senekes & Caijouges were allready there I caused the messengers to turn back with me & lay in the woods that night.

10th Wee came to the first Castle of the Oneijdes.

11th We came to the second Castle of the Oneijdes where I ordered their Sachims to meet me & said

Brethren I am sent by his Excêll with this letter & communicated it telling them the Mohaques refused to come to the meeting and would be obedient to his Excêll ordr desired they would surrender the priest & his letters to Caijenquiragoe according to promise & laid down the 7 hands of wampum.

They answered tell Brother Cayenquiragoe. The Senekes and Caijouges are already a Onondage. That the Senekes have sent for us soe cannot give any answer untill the Generall meeting at Onondage we would not goe but that the Senekes have sent for us and that the Preist should goe up with them which I forbid.

Then Canossadero the Preists Master forbid him to goe up, the Preist replyed What would they have of me I have no papers touching publick affairs only some letters from my Neece & other particular freinds who salute me those of any concerne are already gone to Albany I told them there was no letters come to his Excêll only one to Domine Dellius wherein he is thanked for his kindnesse to the Preist.

12th We parted from Oneyde and lodged in the woods.

13th We arrived at Onondage where the Sachims made us welcome with 14 hands of wampum.

Then told them saying.

Brethren

I am sent by his Excêll to offer you something. They endeavoured to put me off till the Generall meeting which was to be the next day I replyed that I must speak with every nation severally and am not directed to any Generall meeting.

An Oneyde Indian that had been in Canida with six more told me that when they came to the Castle of the praying Indians of Canida he and one more of his company went into it and from thence to Mount Reall where he mett the Governor of Canida who asked him if he was one of those who tore the flesh of his living subjects and eat it, that he answered, not: but that he was one of them that helped to burn them. The Governor of Canida replyed

that now the Great King of France was inraged, that he had sent to Canida thirty great ships with abundance of men and he expected thirty more to come that he had just then received the news of 1500 Wagenhanes Indians[1] come down to his assistance but he had offered peace to the five Nations to which he expected an answer in twenty dayes and them that refuise it will he fall upon with all that strength and destroy them, alsoe that beyond the Great Sea all are in peace and that the French King hath beat both English and Dutch & forced them to peace.

After this the Sachims asked me what news in New Yorke. I answered there were 3 of our Mohaques come lately from Canida to Albany who know nothing of all this, that when they were there noe shipes were arrived in Canida. That our King had 800 sail of ships lay ready to transport 80 000 men to France which doth not savour of peace that the two Indians that were in prison in New England for the murder were come to Albany and that there were three French privateers lately upon our coast & the biggest of the three having 36 gunns & 280 men is taken.

August 14th I communicated his Excêll letter to the Sachims of Onondage and demanded their answer They bid me tell Brother Cayenquiragoe he speaks very well, we are glad to hear his wisdom before we are all met together because we with the help of the Senekes and Caijouges will make a good army.

Then I communicated his Excêll. letter to the Senekes who bid me tell Brother Caijenquiragoe We are glad to hear him speak here with so great wisdom we are come heither according to our old custome to consult the welfare of our Countrey we will take his orders into consideracôn.

Lastly I communicated the letter to the Cayouges who bidd me tell Brother Caijenquiragoe We are glad to hear his wisdom and his thought of the Governor of Canida before the Generall meeting.

In the afternoon the Oneydes made their complaint to the other three nations that I had hindered the Jesuite Milett from coming to the meeting who were all for sending for him, but I withstood it and asked if they did not yet understand his Excêll orders and that they are already debauched by that venemous belt then desired Milett and papers might be delivered over to his Excêll that the house may not more be betrayed by his subtill intregues but live in quietnesse after this the Sachims held a long consultation and gave the Oneydes an answer in the negative.

This day happend an alarm in Onondage five Onondages went to the lake whereof one was caryed away by the enemy.

There were alsoe two French men & 2 French women prisoners a fishing from Onondage a dayes journey from the Castle three of them were killed the fourth being a woman was scalped and on the 15th arrived in the Castle reported the mischeife to be done by the praying Indians of Canida

15th All this day is spent in consultation about his Excêll orders and the Governor of Canida's proposalls.

16th The Sachims were all assembled and Konassadero the Sachim of Oneyde spoak saying as for the Mohaques they have refusd this meeting to you Brethren of the Onondage, Caijouge & Seneke.

It is now two years since that you were all agreed that if there were occasion to send to Canida that an Oneijde should goe now it happened that Tarriha had a French prisoner which

[1] One of the Utawawas Nations. *Colden*, 108. — Ed.

he caryed to Canida to redeem his brother and so the Governor of Canida made use of this opportunity to send this belt along with him to show to the five Nations that he did therewith offer them peace which belt I now deliver to you and referr it to the brethren to accept or reject it I am the same man I was before & my people will agree to yo^{r} result.

Whilst they considered of an answer I went with the Interpretesse to Aquadarondes wigwam he being the Cheife Sachim of Onondage and lame a bed endeavouring to understand of him how he thought the Nations were inclin'd he told me saying.

Aquadarondes Speech

My understanding stands still about their different inclinations for the Mohaques are as if conquered, the Oneijdes wavering, the Senekes have great force but more inclined to bever hunting than warr so that the Onondages ly in the greatest danger. You hear in your ears the cry of the women & children for the losse of their husbands & relations, great promises were made now neer five years agoe that Quebeque should be taken by Sea but I dont hear that it is done. I speak not in reference to Our Brother Caijenquiragoe he behaves himselfe like a soldier and hath not been long here. New England, Virginia & Maryland doe nothing that we hear of. Our Brother hath renewed the Covenant for them but that doth not knock the enemy in the head, so my senses are as drunk not knowing what to doe.

August 17th I advised with him whether I should repeat his Excêll orders at the Generall meeting which he was inclined to have done and said he wondered that our brother Caijenquiragoe should be against a Generall meeting upon this occasion for it is our order and method to have publick meetings upon all occasions. I replyed that it was a false step in them to have received a belt from the enemy whereupon Aquadarando resolved to goe to meeting himselfe.

Afternoon the whole house was mett & Aquadarando was brought by four men who spake to the four nations in a Song saying.

We Onondages sing a Song that others may sing after us for it is our old custome.

The Enemy is like a bear that we must bewar of and not be deceived by fair words we must not alsoe wholly reject him so as not to hear him at all, it is well known the Governor of Canida hath alwayes deceived us soe likewise the Jesuite in Oneyde that causes all this disturbance amongst us in our countrey. We hearken too much to the Governor of Canida that he should offer us his deceitfull patronage without considering that we have been for ever in covenant with our brethren without deceit herein Governor of Canida shews his desire but I beleive him not who knows where he will open his deceitfull design, you have heard my opinion I refer the rest to the brethren and laid down a great belt of Wampum.

Then I repeated his Excêll orders in his letter desiring they should take it to consideracôn not to break the covenant chain and laid down a belt of Wampum.

18th The Sachims met together to consult but gave noe answer.

19th There being eighty Sachims present Kajarsanhondare made answer saying

Tell Brother Caijenquiragoe We have of old made a covenant which we will keep inviolable, here hangs the belt of the Governor of Canida but I say according to the resolution taken by us all We reject the desires of the Governor of Canida and are resolved not to goe to him. We will not doe as we have done formerly lay hold of his messengers but we will let him know by a messenger that if he will treate of peace he must goe to his Excêll he is Our Master we have put all our force under his command he is Master over us just as the Governor of Canida is over his Indians whereupon they laid down a belt of Wampum of thirteen heights.

Tell Our Brother We did think the businesse of attacking Quebeq had been better manag'd than it is we hear nothing of it now Our brother is a soldier let us see something of it that we may overcome the Enemy.

Tell Our Brother Caijenquiragoe if any mischeif be done to any in covenant with us as in New England it must not be said upon the hearing of our language p^{r}sently the five nations have done it nor upon so light occasions must we be imprisoned it is always known by whom the mischeife is done

Tell Our Brother Caijenquiragoe that we repeat once more that here is our old house it is resolved he is our master and shall continue soe and we will hear noe body speake that have a minde to treate of peace they must goe to our Brother whereupon they laid down a belt of wampum.

I replyed you say his Excêll. is yo^{r} master but it doth not appear soe now for you goe contrary to his order he forbidds you to hold correspondence with the enemy & you are sending a new messuage to them. He does expect that as a token of yo^{r} sorrow you will send the Jesuite & his papers to him but I hear nothing to that It is certain the Governor of Canida designs by him to betray you if you hearken to him and not follow his Excêll Counsell.

Aquandaronde the Sachem of Onondage answered that they had not hearkened to the Governor of Canida but only would let him know that his Excêll is Master, and if he will speake of peace he must goe to his Excêll what concerns the Jesuite Milett We have done our outmost endeavours to get him but the Owners will not deliver him.

DIRCK WESSELS
ROB^{t} SANDERS

A true Copy
(signed) M: CLARKSON Sêcry

Endorsed Journall of the Maj^{r} Dirck Wessells who accompanyed with Rob^{t} Sanders carryed a letter from his Excêll Govern^{r} Fletcher to the Indians of five Nations in the Province of New Yorke to dissuade them from making peace with Canida August 1693.
Rec^{d} 20 Dec: 93 frô Côll Fletcher.
B: G:
P: 43:

Major Peter Schuyler to Governor Fletcher.

[New-York Papers, F. 34.]

Albany the 3^{d} of 8to 1693
at 10 A clock at night

May it please y^{r} Excêlly

Last Saturday night Joseph a Christian Indian tells us the News that an Indian was come from Canada to Oneyde & that the Sachims of the Upper Nations was to come and meet & consult there that the Messenger was arrived at Canada wth the Jesuits letter and that the Prisoners we had at Canada were secured least they should runn away for a party were

designed to make an attack some where this fall but the Indians would not tell where this Joseph had from a Sinneke Indian come from Oneyde and heard this from two Indian Women who accidentally discoursed this Messenger before he gott to the Oneyde Castle I caused the Guards to be doubled and viewed all the mens armes and caused every man to be supplyed wth Powder and Ball and sent word to the Farmers to be upon their guard this evening two Indian women came to this towne who tells us that three days agoe a party of 10 French and 20 Onagonque Indians[1] takes a Squa Prisoner near Tionondoge the third Castle of the Maquase and after that they had her halfe a day resolved to send her back & two Indians with her into the Castle to tell the Indians to keep at home in their Castles and not to stirr out they would doe them no harme but come and fetch them away but the two Indians hearing some gunns fired in the Castle were afraid to go in but gave the woman a fathom of wampum to tell the message & with all cutt of the womans hair which they said was for a signe y^{t} they had been there, the woman comes immediately into the Castle and tells what had happend who forthwith sent to the first Castle of the Maquase and so the news was brought hither while we are examining of the said woman news is brought us from the flatts that the waggon goeing thither wth provisions was sett upon by the enemy the 2 horses killed & two Souldiers taken prisoners viz^{t} John Stilsberry & W^{m} England the rest escaped the Fort imediately fired two gunns to allarme all the Farmers & the express that carrys this to Sopuz commands all y^{e} Farmers to come in & desires y^{t} Co^{ll} Beekman would send us a 100 men not knoweing but that there may be a considerable force. Since they have taken so much pains to keep our Indians quiett I have sent an express to the Maquase to order them to come hither with their wives and children and sent forward to Oneyde & Onondage to be upon their guard and send some men downe hither we received very luckily, 80 good men from your Excèlly within this four days. We are all well & upon our guard & do not fear a brush since we have so good advertisem^{t} I thought it my duty to give your Excelly & acco^{t} of all transactions knoweing your Excelly will be gladd to hear we cannot be surprised if any thing extraordinary happens I shall not faile to give your Excelly an account from time to time upon w^{ch} yo^{r} Excelly may depend So shall take leave & remain

Yo^{r} Excelly^{s} most humble
& obedient serv^{t}
PETER SCHUYLER.

A true Copy
(signed) M: CLARKSON Sêcry

Endorsed Maj^{r} Schuylers lett^{r} to his Exc^{lly} Benj: Fletcher &^{c}
y^{e} 3^{d} of 8tober 1693
Rec^{d} 20 Dec: 93.

[1] See note, Vol. III., 482. — ED.

Major Peter Schuyler to Governor Fletcher.

[New-York Papers, IV. f. 85.]

May It pleas Your Excêlly

My last was the 3d Instant giveing your Excelly an account of the two men taken prisoners by ye enemy near the fflatts that very night another party of the Enemy being on the East side of Hudson's River fired 6 shott at a canoe comeing downe but hurt nobody only shott through the canoe this makes me beleive the party is divided in small troops to annoy the farmers We sent out two partys yesterday to descry & range the woods but see none and this day another party of 30 men are sent as farr as Canassigioene to range the woods on this side the Maquase River and they of Schenectady are to meet them there, The farmers I send out to range the woods on the East side of our River fearing that some sculking partys may stragle downe as far as Kinderhook but the only way in my opinion to be sure wether there is a great party or not or wether they will settle themselves at the lake St Sacrament or on this side the Great Lake is to send Scouts of Christians and Indians as farr as the Crown Point, I am about to procure such but know not what way to pay them haveing neither money nor goods of my owne nor of the publicks in my hands neither cann I find any body willing to advance any more for the publick; I long much to have an answer from our Indians, there are two Xians gon from Schenectady with the express as soon as they return shall send Your Excêlly an Accot I declare I never did so much suspect the fidelity of our Indians as now the Maquase seem but little concerned at all this news. It is as if they were disposed to goe along with the Enemy as soon as they come, they are weary of the warr and we cann have no service of them without Ready Pay which I am in no capacity to comply withall they tell me they will stay in their Castles & hold it out, when the French comes and keep good watch but it is no sine of watchfullness when the enemy have now twice been at the Gates of their Castle Undiscovered and tied a bunch of small reeds or straws at the very door I diswaded them from staying in their Castles if any army comes but to keep out good Scouts towards the Lake and as soon as they spy the Enemy come with a great force to give us an accot and make their retreat hither with their wives and children where they will be protected I expect the hundred men from Sepus to morrow I will keep them till I am satisfied there is no army on this side the Lake. It will be no great inconveniency to them since their land is sowed I cann scarcely beleive the French will venture so late in the year with any great force only some partys to keep us in alarme & in ye mean time endeavor to gain our Indians as soon as I have the least certainty of an army shall send your Excêlly an express. Our Indians are all of opinion that these partys are the fore Runners of a greater body. I shall keep good watch and if they come shall receive them as well as the Force I have shall be able. Our men are all brisk and well. I have ordered the Comissary to furnish them with amunition on accot of their pay so they are all new fitted for they had none of their owne neither is there any of the Publicks to give them. I am sorry the New Jersey men will be releived this Season since they are well disciplined & Brisk men and if they be I hope your Excêlly will send up money to pay them here wch they expect since severall have bought armes of the inhabitants wth wch they can not be so well fitted at home. I have no more to add but that I am

Yor Excelly's most obedient
Servt
Peter Schuyler.

Albany 5th 8ber 1693 At 5 a clock in ye afternoon.

To his Excêlly Benjamin Fletcher
Captn Genll & Goverr in cheife of New Yorke Province of Pensilvania &c
at Fort Wm Henry.

A true Copy
(signed) M: Clarkson Sêcry.

Recd 20 Dec: 93.
B: F:
P: 35:

Governor Fletcher to Sir William Phips.

[New-York Papers, III. E. 61.]

Fort William Henry the 31st of August 1693.

Sir

Yours of the 24th instant came to hand the 30th wherein you acquaint me of a peace concluded with Eastern Indians, which I am glad to hear and hope itt will prove firm and stedfast; for which I thank you.

Forasmuch as I have nott syllable touching the 200 men you promised, I take leave to putt you in mind of mine of the 31st of March last when I first desired that assistance. Your answer thereunto of the twentieth of Aprill following wherein you told me that their Majties affaires calling for your pressence to the Eastward you had left directions with ye gentlemen appointed for the manageing the Millitary affaires in your absence, to order me the number of men I desired, to march with all speed from Road Island and Conecticutt, they being the nearest places unto me and assoon as the agreemt between the Governrs of Virginia Maryland Pensilvania and your selfe concerning a quota of men or other assistance to be given by each of you for our assistance, is concluded upon, you should endeavour to be the first in serving their Majties to the uttermost of your power, according to such Agreement. Which are the words of your own letter.

I have since that time wrote to you several letters amongst other things complaining of the want of those men, as you may finde by those of the 10th of June, 17th of July, and 2d of August, which Mr Stoughton Lt Governour, advises were forwarded to you, yett there is nott one man come to Albany from any part of your governmt, nor does itt appear to me by your last there is any care taken thereof as yett.

Sir. A party of our Indians have lately returned from Canada having two prisoners, one Monsr Crevier a considerable person, the proprietor and cheife man of a Collony called St Fransoe, and his Servant, the heathen have bitt of five of his nailes, he is now sick of his hard marches and wounds att Albany. Majr Schuyler hath given £50 for his redemption from ye flames. He gives account of the arival of the French consisting of nine Saile, three more being putt back for reparation; two of the nine about 40 guns each, that they have brought recruits of 500 men with stores of ammunition and provissions, that Chevaleer Deaux was on board one of the Ships put back to stop lakes, but dayly expected, that the French are dayly

adding to their fortifications att Quebeck, and that they have built strong batteries and many guns planted on them.

Sir. I doe expect another attack from the French of Canada this winter, as I had in February last and have many reasons for itt. Our fronteers are but poorly mann'd, which we cannot remedy without your assistance, and must depend upon itt att this juncture; not doubting but that you haveing made such an advantagious peace with the Eastern Indians, to the great ease both of the charge and duty of your people, you will rather increase then fall short of the number of 200 already promised and that your commissioner will be here att the time appointed to assist the others in agreeing upon a quota of men and money for the defence of the fronteers dureing the warr, that it may never be said that the handfull of French in Canada should gain a foot of ground upon any of their Maj^ties^ dominions on this Maine, but that their Majesties intrest may always flourish and overcome their enemys, which is the zeal and ambition of Your Excellencys

Humble Servant
BEN: FLETCHER

A true Copy
M: CLARKSON Sêcry.

Sir William Phips to Governor Fletcher.

[New-York Papers, III. E. 62.]

Sir

By a ship arrived here from Cadiz the 15^th^ current, we have confirmacôn of the unhappy news of the loss and disaster befalling the Streights fleet of English and Dutch, of which had lately an account via Madera by a vessell belonging to New Yorke touching at Road Island, tho' with some moderacôn as to the loss then reported and not with that advantage to the French as was fear'd; the narrative whereof I have inclosed.

As to yo^r^ Excêll proposall for a meeting of Cômissioners at New Yorke from their Mâties severall Governments of New England, Virginia, Maryland and Pensilvania to concerte and agree upon a certain quota of men and money for the defence of the fronteers in that Province I have to acquaint you that the epidemicall and mortall Sickness and other calamitous occurrents within this Province, renders it difficult for any from hence at present to attend such a congress; and the alteracôn made with reference to the militia of Connecticut Colony since your Excêll: first mocôn for such a meeting, the cômand thereof being transferr'd unto yo^r^selfe, over and above the addition of Pensilvania, seems to make it less necessary or reasonable to expect assistance from this Province for the support of Albany: when as besides the many other adversityes and losses which have befallen this people, the burthen of a long & chargeable warr has been borne by themselves, with very little assistance from their neighbours, whereby they are soe exhausted and such a vast debt contracted, as is almost insupportable, and still continue to be at a very considerable growing charge for the necessary guarding of the fronteers of this Province and maintainance of a guarrison at Pemaquid. For altho' the late submission of the Eastern Indians may give probable hopes of a present quiet

with them, yet wee may rationally expect annoyances from the French and to be attackt both by sea and land by them and the Indians joyned to them.

I shall not be backward to contribute what assistance I may to the defence of their Majesties interests in the neighbouring Governments, without hazard of exposing the same more immediately under my care, and had the militia of Connecticutt remained within my command I should upon yo^{r} Excêll. desire thereof have given out orders for the enforcing of yo^{r} posts with some men from thence as I formerly intimated; but the circumstances of that affair being altered, it cannot now be expected. I hope what is offered will excuse the none appearance of Commicôners from this Province on the occasion mencôned.

I shall lay before their Majesties the state of this their Province, and humbly endeavour their satisfaccôn herein, and to my utmost promote their interests as I may have opportunity.

Yo^{r} Excêll. humble Servant

WILLIAM PHIPS

Boston Septem^{r} 18th 1693.

A true Copy

M: CLARKSON Sêcry.

Governor Fletcher to the Committee of Trade.

[New-York Entries, III. 67–69.]

May it please Your Lords^{ps}

I am stayd this day from proceeding to Connecticutt and Albany by the taking of the Capt^{n} of a French Privateer on the north side the Island Nassaw, whom I have examind this morning.

I find him a French Protestant about 18 month an Inhabitant of this Province being naturaliz'd by King James, and a Master of a Sloop belonging to this place, his name John Reaux, in his Voyage to Boston he sunk his Vessell and run away with 6 or £700 in Money for which he was Imprisoned and Broak Goal at Boston and with some of their Prisoners of Warr gott to Canada in a small Shallop, from thence went to France, he came from Rochell three Month's agoe in a Bark with four Guns four Pateraros and 35 men, says he hath a Commission from the French King and in his way took a Ketch belonging to Boston, on the Banks of Newfound Land, and on Fryday the six instant took a sloop from Rhode Island, says he could have taken more but being minded to take on board his and family brought the Bark into the sound and for that purpose came on shoar and was discovered. I hope by this time the Vessell is taken having sent after her. I have been urged by some whom he had defrauded to have him forthwith Try'd and Executed, and have advised with the Councill.

To know his Majts pleasure about Reaux the French Prisoner.

It is resolved that he be kept in close Prison untill their Majest^{s} Royall pleasure be known therein for which I beg your Lords^{ps} favour, the Prisoner deny's he knows any design from France against this Province.

I have this day taken my leave of the Councill being bound for Connecticutt and Albany, where I shall tarry the whole winter if there be Occasion, I have recommended to them the Administration of the Government during my absence, and that they be carefull to make

Provision for the building of the Platforme I have designed, so that we may fall about it next Spring

May it please your Lo^{pps}
I am
Your Lords^{ps} most obed^{t} humble Serv^{t}
BENJ FLETCHER

New York
10th October 1693.

The Prisoner is well acquainted with all this coast and avers that 700 Recruits were sent to Canada this last Sûmer, and that he was in Company of the Fleet.

May it please your Lords^{pps}

I do observe by my Instructions I am hinted not to go out of the Province without leave, I had a Speciall warrant for my going to Connecticutt, I have the Great Seal for the Command of Militia of that Colony which is to be of Force after Pu[b]lication and I cannot well command Militia without seeing them, have therefore determined to go that way to Albany with the Forces I can get there, I beg your Lords^{ps} favourable construction and directions in that matter for the future I am

May it please your Lo^{pps}
Your Lo^{ps} most humble Obed^{t} Serv^{t}
BENJ: FLETCHER.

Abstract of Governor Fletcher's Letter and Papers concerning Connecticut.

[New-York Papers, IV. F. 41.]

Col Fletcher by his Letter of the 27th of Octo^{r} 1693. from Connecticut writes

That at his coming to Cônecticut he found a great Consternation among them. He told the Gov^{r} his errand & gave him his Cômission and desired he would order it to be read, who answer'd that if Côl: Fletcher had anything to offer he would hear it, whereupon Côl. Fletcher order'd his own Sec^{ry} to read it, and Côl Fletcher referrs to the Papers for what past on this occasion.

Abstract of Papers relating to Côl. Fletchers proceedings in Connecticut.

Côl. Fletcher coming to Cônecticut on y^{e} 23^{d} of Octo^{r} acquainted the Gov^{r} & some others of his being come with their Ma^{tys} Cômission to command the Militia of that Province.

The next day he went to the Gen^{ll} Court or Assembly of the Province then setting & acquainted them he was come by his Ma^{tys} Cômands to publish his Cômission which he desired might be read.

To which they only answered they were ready to hear what his Exc^{lly} had to offer or to be read to them.

Whereupon Côl. Fletcher caused his Comission to be read to them by his Sec^{ry} and gave them a Mem^{ll} in writing requiring their ready complyance that he might proceed to the execucôn of his trust & desir'd their answer in writing.

They desir'd Côl. Fletcher to hear their Charter read, but he told them he had no business with the Charter or Civill Power but to cômand the Militia of the Colony.

The next day Côl. Fletcher sent to the Gen^{ll} Court to let them know that he had recieved then an Express from Albany giving an Acco^{t} of the weakness of the Garrison, & the growing strength of the Enemy. That the Jerseys who are under the same circumstances with Cônecticut in respect to their Charter had submitted to the King's right of the Militia. That the letters from Albany say they expect to be attacked by the Enemy, & if that post be lost for want of their complyance they might be sencible of the ill consequence to themselves.

Whereupon Côl. Fletcher being attended by y^{e} Gov^{r}, the Sec^{ry} & some others they desired him to suspend y^{e} execution of his Comission till they could have an answer from his Maty. by Maj^{r} Winthrop their agent then going to England w^{ch} Col. Fletcher declined with such argum^{ts} that they seemed to be convicted, the Sec^{ry} declaring he did not believe there were two men in the Colony but what thought the Militia the inherent right of the Crown, But desir'd to know if upon urgent occasions they must be obliged to send to New York for orders.

To which Côl. Fletcher reply'd no, but that he would Cômissionate the Gov^{r} to act in all things during his absence as fully as if he were present.

The next day being y^{e} 26. of Octo^{r} Côl. Fletcher recieved an answer in writing to his Mem^{ll}

That they do not find Côl. Fletchers Comission by express words to supercede y^{e} Comission for y^{e} Militia in their Charter nor have they any order from their Ma^{tys} to surrender y^{e} sam That being sencible of the importance of the matter they think it their duty to continue the Militia as formerly till by their Agent they shall recieve further orders from their Ma^{tys} Tnat in Obedience to their Ma^{tys} letter they shall be ready on all just occasions to assist the Gov^{r} of New York for the defence of that Province against y^{e} Comon Enemy in proportion with the neighbouring Colonies And that they will grant 600^{l} Country pay out of the Country Rate t ;ward the charge of the garrison of what shall be their proportion.

To which answer Côl. Fletcher returned his reply that he did not demand the Militia from them, they having no right to it. It being setled on the King by sev^{ll} Acts of Parliam^{t} & no Power can be demised from y^{e} p^{r}sent possession of the Crown wherefore in their Ma^{tys} name he demand their ready complyance.

And Côl. Fletcher further lets them know he is resolved to put his Cômission in execution & to issue a Proclamacôn shewing the care he has taken for the satisfaction of their Ma^{tys} subjects in that Colony, leaving the Militia in the same hands he found it. And accordingly made the Gov^{r} a tender of a Cômission for the Chief Cômand and that he had no power or intention to invade the Civill rights But that he will not depart y^{e} Colony till he has seen y^{e} Comission obeyd.

And the Gen^{ll} Court desiring a Copy of Côl. Fletcher's Comission the originall was carried to them.

After which the Gen^{ll} Court return an answer to Côl. Fletchers reply wherein they referr to their former answer. And further that they agree the inherent right of y^{e} Militia to be in y^{e} Crown & has been setled upon that Colony by the Great Seal of England & so enjoyed by them during y^{e} two last reigns. And they have lately recieved some directions from their Ma^{tys} in order to the improvem^{t} of y^{e} same.

And Côl. Fletcher having told one of y^e^ Dep^tys^ of what consequence their refusall to submit to y^e^ Kings Cômission would be, he made answer that if they must part w^th^ the Militia they must part w^th^ y^e^ Civill Power too. And the said Dep^ty^ being Cap^t^ of Wallingford was tendred a Comission for that place by Côl. Fletcher which he refusing Côl. Fletcher warned him at his perill not to take upon him to be Cap^t^ of that Town.

After which the Gen^ll^ Court sent a Mem^ll^ to Côl. Fletcher offering 50 men to be at Albany till March & to pay towards their Quota 600^li^ Country mony which is about 250^li^ Stêrl.

To which Côl. Fletcher answerd that when they would yeild obedience to their Mat^ys^ Comission he would consult with them about setling y^e^ Militia, till when he would prosecute the Execution of it till he found an open violation thereof.

The 28. the Gen^ll^ Court broke up and Côl. Fletcher understanding some personall affronts were intended him by the people if he publisht any proclamation then He sent it to y^e^ Sec^ry^ of y^e^ Colony requiring him to publish it who said he would give it to y^e^ Gov^r^

And Côl. Fletcher being advised that the people were ready to be in a Cômotion left the colony.

In all this time about 40 persons presented themselves to submit to y^e^ Kings Comission.

B.: F:
P: 41:

Governor Fletcher to Mr. Southwell.

[New-York Papers, IV. F. 21.]

Connecticute in New England
Octo^er^ 30^th^ '93.

S^r^

I have been in this Collony 20 dayes laboreing to perswade a stubborne people to theire dewty. I Publish'd their Majesties Commission in theire Generall Court att Hartford. Assured them I had noe pretentions to theire civell adminestration. But the mallitia being lodged in the Crowne, and in noe case to bee sepperated or demiss'd from it I cam w^th^ comission under the greate seale to take that care and charge, they refuse all obedienc. Have sepperated not only from the Church, But Crowne of England, and allowe of noe appeale from theire Courts nor the Lawes of England to have any force amongst them, some of the wissest have saide wee are not permitted to vote for any members of Parliam^t^, and therefore not lyable to theire lawes. I did designe from henc to march with what force I could gett and put my selfe into Albany this winter but am now disappointed, I must returne to Yorke and take other measures for the securety of that place.

I never sawe the like people They have raised a considerable Tax to send one M^r^ Winthrop theire Agent for England, yett pay noe obedienc to the Crowne nether theire Agent or any in office have taken the oathes or subscribed the Test. I could not force obedience haveing noe Company but a few servants and two freinds nor did I think it the King's service to carry on the contest to Bloude tho they threaten to draw mine for urging my Masters right. They desire a sute att law with y^e^ King and say if theire Charter bee

vacuated by Quo Warranto they will submit, This I know if a speedy course bee not taken to make these people usefull to the defenc of Albany, that place will bee lost. S^r^ I have sent over the papers that passed between these people and yo^r^ servant. If I have made any fals steppe I begg it may bee imputed to the weakness of my judgm't, for I have studiously endeaviored to serve the King and oblige these people and in all places of my little trust used y^e^ utmost of my skil to make y^e^ people in love with the mildness of theire Majesties Gover^t^

I have just now a letter from a sure freinde acquainting mee the mobb have a designe upon my life. I must not goe out of the way tho' very thinly attended. My humble service and trew affections to M^rs^ Southwell.

I am
Sir
Your most affection^t^
humble and most
obedient servant,
BEN FLETCHER

Endorsed—Connecticut. 30. Oct. 1693.
From Côll. Fletcher to
M^r^ Southwell. R. 28 De.
ab^t^ Connecticutt.

Governor Fletcher to the Committee of Trade.

[New-York Entries, III. 93.]

May it please your Lo^ps^

Having wrote from Connecticutt by way of Piscataqua to my Lord Marquiss Carmarthen Lord Nottingham and M^r^ Blathwayt, I now humbly address your Lordships being returned from thence your Lords^ps^ will percive by the Copies of severall Passages herewith sent what contempt is thrown upon their Maj^ts^ authority twere tedious and perhaps troublesome to repeat the personall slights I met with in this service I must confess to your Lords^ps^ I found the whole Countrey upon their Penitentialls upon my return wishing to have their money returned from Major Wenthrop whom they have employed to Solicite for their Old Charter Government and wish the Generall Court at Hartford had made a dutifull Submission to their Majesties Commands, Maj^r^ Palmer M^r^ Gershom Bulkely two Rosewells and M^r^ Trowbridge are Gentlemen of the best Education sense and Estates amongst them, they with many other well-affected people have suffered very much by the Arbitrary illegall Proceedings there. If Connecticut be annexed to New-York, those I have mencôned are the fittest in the Colony to be of the Councill, I find by their Charter they have no othere Military power than upon cases of urgent Necessity to array their people which doth not extend to a fixed standing Militia, I am perswaded their irregularitys have been so great, that if a Quo Warrant were brought ag^st^ their Charter, they would not offer to defend it, I am informed the East End of the Island Nassaw part of this Province have joyned

Accot of his Proceedings at Connecticutt

them to use the same Person Majr Winthrop that they may be cut off from this Province, they likewise [are] mostly of an Independent principle, and think any thing may be Effected at Whitehall for mony whilst every one pursues their sluggish ease, Albany is in Eminent danger of being lost.

I did endeavour to get assistance from the Neighbouring Colonies and Provinces and pursuant to their Majts Commands to have Quota's of Men and Money assertained for each to secure the Frontiers but this is defeated, I wrote and desired a Commissioner from for each to Meet at New-York in October last to agree thereupon and did propose a Scheme of the charge and number of Men. Sr William Phips denyed to send any, others came, but pretended they could not proceed unless there were a full meeting of a Commissioner at leas from each, Sr Edmond Andros and Collonel Copley have discounted a former [Bill] given to the Assistance of this Province for the Sums lately ordered by His Most Excellent Majty out of his Treasuries of Virginia and Maryland. Collonel Andrew Hamilton the Proprietors Governors of the Jerseys hath proved most zealous and forward to Our Assistance, and hath prevailed with the Assembly in these Colonies to give us thirty men with pay from the first of May next during the Warr.

700 Men and stores arrived at Canada

Our hardships grow upon us. Canada by a late information hath received seven hundred men and Stores of Warr from France this last Summer, Our Indians falter and the Enemy pass them and turn their swords upon our Farmrs, which is their great Cunning and likely to prove our Enemies So that now there is no remedy left but a Squadron of Ships with land forces next Summer to take Canada and put an end to it or the building a Stone Fort at Albany and sending over four Companies of Granadiers from England at their Mats charge. These small Colonies on this Main are much divided in their interest and affection as Christian and Turk.

I hope your Lordships will Consider of the Artillery and Stores I wrote for, and the great want of them to furnish a Platform here for the security of this Port and City, I am

may it please your Lopps

Your Lops most humble and most obedient servant,

BENJAMIN FLETCHER.

New York the tenth of November 1693.

Order in Council allowing Governor Fletcher to accept the present of the Assembly of New-York.

[New-York Entries, III. 87.]

Att the Court at Whitehall the 11th of January 169$\frac{3}{4}$.

PRESENT— The King's MOST EXCELLENT MAJTY in Councill.

Ordr for Coll: Fletchrs presents by the Act of 1 penny per £ in N. York.

Upon reading a Report from the Rt Honble the Lords of the Committee of Trade and Plantations dated the 8th instant, Representing that an Act lately past by the Assembly of New York, whereby a Rate of One Penny in the pound is granted to their Majests to be raised upon all Reall and personall Estates there, which Rate

the Assembly humbly pray may be allowed to Collonel Fletcher Governor in Cheif in New York, in Considerat[n] of his Care and Vigilance in visiting the Frontiers and putting them into a posture of defence and safety.

It is this day Ordered by His Majesty in Councill, that the said Collonel Fletcher be and he is hereby permitted to receive the Present intended him by the said Act. Whereof all persons concerned are to take notice and to Govern themselves accordingly.

RICH. COLINGE

Governor Fletcher to the Committee of Trade.

[New-York Entries, III. 96.]

May it please your Lo[ps]

I send herewith Copies of several papers relating to the present Circumstances of New York and Indians of the five Nations, by which I humbly offer what discouragement hath Possessed them through the Negligence and sloath of our Neighbours leaving the burthen of the warr wholly upon this small Province not able to give them that Succour which is requisite, nor to make that appearance on the Frontiers which was necessary to Justify all the Parts thereof, The French of Canada have new supplys annually from France, and are a growing Vigilent Enemy, Our Indians are now upon overtures of Peace with Count Frontiniac and break all their Covenants and Engagements with us, would be at a Neutrality but its much feard that the French will not allow that upon them, but make them wholly their own, I did foresee so soon as I arrived in New York, and have been unwearied in my applications to our Neighbours, And tho' their Majesties out of their true sence of the Condition of their Territories and dominions upon this Maine have ordered assistance to be given nothing is done to purpose. Their Majes[ts] subjects here, tho' considerable in number, are so scattered at a distance, and into so many distinct Governments, that they are divided in affection and interest, which renders them weak. I sent for Commissioners from each Province and Colony to concert and agree upon Quota's of men and money for the support and defence of the Frontiers during the warr, as I have already informed your Lordships (some sent Commissioners others none) those that came pretended they could not proceed to Act without a full meeting, so that design is frustrated: S[r] William gave a positive denyall.

Their Majesties have Graciously Ordered five hundred pounds from Virginia and £250 from Maryland which was discounted for bills for other sums given before that time at [as] their neighbourly assistance notwithstanding [by] their Majes[ts] Order [they] were to be paid out of their own Coffers and the Bills from Maryland drawn by Collonel Copley are returned protested. There are two hundred forty-five Fusileers upon the Fronteers upon Pay and the Company of Granadeers in the Fort; the farmers circumjacent are all gather'd into the city. I have ordered other forces to march from Ulster County, and have issued forth orders to have detachments of the militia in readiness to march at beat of Drum and Expect every hour intelligence of the Enemy's approach, when I design to head the militia march to Albany and put my selfe in that Post. I shall not be wanting to do my utmost Endeavours for their Majes[ts] service. Whilst this small Province is thus harrassed, our neighbours are all at ease, and purchase their private advantages.

I have projected the building a platforme whereon to raise a battery for the defence of New York from attempts by sea being the Key and Centre of the English Plantations on this main, the Inhabitants are now at work to gett Stockades to fill up the water, it will take some time to finish it.

I hope your Lordships will procure the great gunns and stores I have desired; these I brought over with me are not so long as I could wish them, Our Rivers being above a mile over. I am in want of Money to Pay off the two Companies of Granadiers, which I humbly desire your Lor^{ps} will cause to be transmitted. I hope their Maje^{ts} will provide for the taking of Canada next Sûmer or send over a Regiment of Foot with money to build a stone Fort at Albany, otherwise I do not see how their Maje^{ts} interest on this main can be preserved, this Province must sinck under the burthen, which will be the greatest trouble that ever happened to their Majesties Colonies and Provinces upon main, and being each of them under the same or worser circumstances than this Province is attended with at this present juncture.

May it please your Lordships

I am

Your Lo^{ps} most faithful and most
Obedient Servant
BENJ: FLETCHER.

New York in America
the 22^{d} January 169$\frac{3}{4}$.

Major Peter Schuyler to Governor Fletcher.

[New-York Papers IV. g. 45,]

May it please yo^{r} Excêll:

This is to accompany the inclosed papers relating to the Indians as soon as I heard of Tarriha the Messenger's arrival I sent for him and the letters & desired that two of the principall Sachems might come along with the letters to hear the contents of them but they say there are no letters come, neverthelssse the messenger Joseph tells me that he beleives the Sachims will come I desire yo^{r} Excêll will be pleased to signify what your Excêll. thinks fitt to say to them or if they do not come what answer shall be sent them for I finde that the Indians in Generall are inclined for a peace with the French of Canida I have dispatched the messenger back to Onondage & sent the Sachims 7 hands of wampum back desireing them to come downe heither according to their promise acquainting them that I have sent a post down to yo^{r} Excêll. to New Yorke puting them in minde of their engagement and that they were to come and treat here and no where else and not suffer themselves to be deluded by the French we have an answer of the belt yo^{r} Excêll. sent to the Onnondages three of the Indians being returned with 4 bevers sent by 4 of the cheifest Sachims of Onnagonque, who thank yo^{r} Excêll. for yo^{r} good inclinations towards them and will come heither in the Spring with presents to treate with yo^{r} Excêll they say they have peace with the English of New England but some of their Castles are still in warr four of those Sachims are gone to the English to treate of peace that the Jesuite who was amongst them is gone home to Canida for as soon as the Indians gott rum at Pemaquid they were abusive to him and he was forced to retreate the

French labour hard for a peace with our Indians I wish they may not gain their point to our prejudice I leave the matter wholly to yo^{r} Excêll. and shall not be wanting to obey what orders yo^{r} Excêll. shall be pleased to send in this or any other thing & so shall &^{c}

Yo^{r} Excêll. most obedient servant

PETER SCHUIJLER.

Albany 4th Decem^{r} 1693.

A true Copy M. CLARKSON Secry

Endorsed — Rec^{d} 13 June 94.
B.: G:
P: 45:

Message of the Onondages to the Governor of New-York.

[New-York Papers, IV. g. 13.]

Onnondage the 22th of November 1693.

I Johannes Luijkasse who went thither with the Smith being sent for by the Sachims of Onondage who sayd as followeth:

We acquaint the Governor and Major Schuijler that the Indian messenger is returned from Canida and do now send for you in all haste as we do for all the Indians the Caijouges, Senekes, &c^{a} to come and keep Council here in Onondage and to hear all the news doe not fail to come for we are one flesh and blood and this is matter of great moment we doe not passe you by — true it is that it was concluded by us when the messenger went to Canida that he should bring the news to Albany and that we all should come there — but since he is come here the Council or Assembly shall be kept here now we shall hear all what the French have said to the Oneyde and I am charged to acquaint the Maquas with this Message.

Signed JOHANNES LUIJKASSE

The said Johannes Luijkasse says that he was charged secretly by the Sachems of Onnondage to tell Major Schuijler when he came up towards Onnondage not to hinder the Maquas nor Oneijdes as last time from coming to the Assembly but rather further their journey that so by a generall consultation of the six once a firme conclusion may be made and desire that the partyes may make all possible haste to come up mentioning of tenn days ti[m]e. The Messenger Tarriha who is now come from Canida and has brought a belt of wampum from the Governor of Canada to the 5 Nations — who says — will have nothing to do with Caijenquiragoe the great swift arrow meaning his Excellency Benjamin Fletcher but will only treate with the five Nations that which concerns them must come from over sea.

The Onnondage Sachims say further in answer to what was sent to them concerning some Indians to come down from each Nation for scouts and to guard Albany that at the Generall meeting that matter shall be treated of

A true copy examined by Rob^{t} Livingston Johannes Luijkesse says further that Tarriha and two of the cheifest Sachims of Oneyde told him that the Governor of Canida had now sent

for tenn of the principall Indians of each nation two. to treate with him at Canida and being asked what the belt of wampum meant, the said Tarriha said that should be told at the Generall Meeting at Onondage and not before.

A true Copy
(signed) M. Clarkson Sêcry

Endorsed.

Copy.
Message from Onondage one of the 5 Nations of Indians sent by Johannes Luijkasse arrived at Albany the first of Decem^{r} 1693.
N^{o} 3.

Report brought from Oneyda by Joseph, a Mohawk Indian.

[New-York Papers, IV. g. 44.]

Present— Maj^{r} Schuijler
Maj^{r} Wessells Interp^{r}tesse Helle.

Joseph a Christian Mohaque Indian who was sent with a belt of wampum to Oneijde to demand Tarriha the Messenger come from Canida with letters from the Governor being returned this 2^{d} of December 1693—Saith as follows.

That he delivered his message with the belt of wampum to the Sachims of Oneijde and told them they were to meet here at Albany according to what was concluded this summer and therefore Tarriha with the French letters were to be sent to Albany upon which the Sachims of Oneijde replyed there were no letters come from the Governour of Canida that they knew off only a belt of wampum which was sent to Onnondage where all the Sachims of the five Nations were designed to meet and consult about that matter and before that meeting was over could give no farther answer whether they should come hither or not.

The said Joseph says he discoursed with Tarriha the messenger come from Canida who said as soon as he came neer Mount Reall he was met by a great many Officers and Cheife men of the place who asked him where the 800 men were of the five Nations that were to come & fall upon them since a Mohaq Indian (called Caghnarageyade) brought the news that Tarriha was only sent to betray the French for no sooner would he be come but a great party would follow and destroy the French. The said Tarriha was no sooner come but put into a cannoe and sent unto Quebeq where he delivered the belt of wampum sent by the five nations to the Governor of Canida and told him it was concluded by them not to hearken to any peace but if the Governour of Canida was minded to discourse of that matter he must send to Albany and do it there where upon the Govern^{r} was very wroth and turnd his back upon the belt and would not receive it, but after he had consulted with the Jesuites that had been formerly among the five Nations was advised to take up the belt of wampum and signify his pleasure by another belt to the 5 Nations which the messenger has now brought whereby he demands as he did before; that two of each nation do come to Quebeq acknowledge their

Errour and begg peace and then he will receive them again as children unto his covenant and said further to the five nations children you are strangely deluded by the Governour of New Yorke who has styled himselfe Caijenquiragoe a strange name not used by any of the former Governours of that place will you wage war with the French who have supplyes daily from France if you are killed where have you any recruites to supply your places you are made beleive that we have a warr with you but we have not begunn yet now I will hang over the Great Kettle of warr and show that I am an Enemy to the English for they of Boston have been here to visite me and promised to come again but I see none of them and therefore I must goe and visite them this winter.

The said Tarriha sayes there are great preparations making for a design this winter and the French say it is upon New England but say likewise they are Enemyes and must not be trusted and that the people of Albany may be upon their guard.

A true Copy M. Clarkson, Sêcry.

Endorsed

Copy.

Joseph the Xîan Mohaq's Report from Oneyde Decem^{r} 2^{d} 1693.

Rec^{d} 13 June 1694.

B: G:

P: 44

Reverend Mr. Dellius to Governor Fletcher.

[New-York Papers, IV. g. 19.]

S^{r} N: Albany 12 Jann^{ry} 169$\frac{3}{4}$.

On the 30th of Decem^{r} last came here a writing from the Jesuit Millet, the contents was an explanation of the three belts of peace w^{ch} the Indian Messengers should bring to the Govern^{r} of Canida, I have coppyed said writeing from word to word, and gave coppy to Coll. Ingolsby to be sent to yo^{r} Excell^{y} The originall together with a Translate made bij mij selfe, Maj^{r} Schuyler tooke with him to Onontage I do find some words to be doubtfull in those 2 or 3 lines which do begin, J'ay resolu de m'exposer, &^{c} With yo^{r} Excell^{s} leave I suppose the same to be, That he had hazarded himselfe as being more willing to dye, or to be throwne into the Kittle, then to live longer in the Indian Countrij where *Honontonchionni* gives the Goost, *Honontonchionni* I think do's signify as much as *Konossioni*, which is the whole howse, or all the Indians together;—

S^{r} I have not answered the Jesuite uppon the letter, w^{ch} I sent to yo^{r} Excell^{y} because I saw no occasion for it; I heare that Maj^{r} Schuyler is coming back and will be here this day or the next because of the rumour that the French are comming agst us or Onontage, What

truth in that tiding is, time will tell us, if they do attack us I hope God will blesse o^{r} armes, in whoese Omnipotent protextion by my prayers I do recommend yo^{r} Excell^{y}, and remaine

Sir,

Yo^{r} Excell^{ys}

Most humble & Dutyfull serv^{t}

DELLIUS

A true Copy

(signed) DAVID JAMISON,

Cl. Concilii.

Endorsed, Copy.

M^{r} Dellius. Minister at Albany,

his letter to his Excêll. Ben: Fletcher, &

N° 9.

B: G:

P: 19:

Interpretation of three Belts sent by the Five Nations to the Governor of Canada.

[TRANSLATED FROM THE FRENCH.]

[New-York Papers, IV.. g. 21.]

All the Iroquois assembled at Onôndaga, having sent an express to me at Oneida to invite me to repair to Onondaga for the purpose of writing down the message they had resolved to send to Onontio, or to Count de Frontenac, and I having, in consequence, proceeded thither with Susan and other Oneidas, they, on exhibiting to me their belts, authorized me to write what follows:

The Ist. in which there are five black squares on a white ground, indicates the Five Iroquois Nations, who have all unanimously agreed to this embassy from the Iroquois to Kebec. They, therefore, say by this belt: Here we are, Father Onontio, by your invitation, on your mat, and among the rest, I, whom you call te Gannisoran, having for the third time heard your voice which called on me by name—Here I am. You enquire, I'm told, what is te Gannisoran afraid of, that he hesitates to come? Father, I fear your war kettle, and it has prevented me coming sooner. At last I have resolved to expose myself to destruction, to be thrown into the kettle and to die for the preservation of *(pour faire vivre)* the land of the Iroquois or the *Notinnonchioni*, who are at the point of death &c Will you hearken then, Father, to what I might say? I prefer allowing you to speak first, for, they say, the Iroquois have no more reason left; and we shall examine among ourselves and see if it be afterwards in our power to satisfy you.

The IId. which is a large belt and almost entirely black, says, that if Onontio himself does not upset his war kettle, this belt of the Iroquois, his children, is for the purpose of throwing it down.

The IIId. belt, which is the longest of all, is to say, that the Iroquois desire their message to be transmitted over the sea, and carried even to the Kings of France and of England, particularly to the King of France, in order that he, himself, may speak to this article, and

grant them, if in his power, such a peace as they desire, that is, generally; not only between all the Indians but between all their relations, especially between the Kings of France and England; and they request that they may have an answer as soon as possible.

Fifty days are allowed these ambassadors; if they delay as long as sixty, it will cause uneasiness.

The Iroquois were desirous that I should open the letter which the Minister of Albany wrote to the Reverend Father D'Ablon, but as it is sealed I said, we were forbidden so to do, but that I should request the Reverend Father D'Ablon to communicate its contents to us, and that I should, then, read it to the Iroquois.

A true copy
(signed) M. Clarkson, Secrery.

Endorsed, Explanation of the three belts carried by the Iroquois ambassadors, who visit Onontio pursuant to the resolution unanimously adopted among themselves at the meeting at Onnondaga.

Copy of the Jesuite Milet, his minutes of the meeting or consultation of the Five Nations held at Onnondaga.

No. 11.
B: G:
P: 21:

Major Ingoldesby to Governor Fletcher.

[New-York Papers, IV. g. 20.]

May it please your Excêll

I received yo^{r} Excell^{s} letter p. y^{e} expresse the 16th of December last with inclosed orders for Maj^{r} Schuijler's Journey to Onnondage who accordingly prepared all things for his journey but 2 days after some of the principall Indians coming from thence told us the Sachims were coming down which put a stop to his journey for a while thinking it would be much better to have them to comply with their promise to yo^{r} Excêll. and come to us then we goe to them the 30th December following we had an expresse come from thence and 2 Sachims who advised us that the Sachims could not come that they had had a meeting at Onnondage where the Preist Milett was present where some overtures of peace were discoursed of but had come to no conclusion till they had heard from hence that they had ordered the Jesuite to take minutes of what had passed at the said meeting which they had sent to see if the Preist had acted faithfully in the matter who had somewhat enlarged but in the main they had agreed to send to Canida and make peace which I beleive they will if not done already and if they doe and the French should attack us I cannot beleive they will be neuters but rather prove our enemies the copy of said paper is inclosed, this hastened Maj^{r} Schuijlers journey after he had sent on an expresse to them that he was on his way and that they should assemble together at Oneyde, he went from hence the 3^{d} instant accompanied with Maj^{r} Wessells and the Interpretesse and being between the Maquaes and Oneydes Castle they gott the alarm that the French are comeing upon Onnondage which they rather beleive may be designed heither and therefore turn back as your Excêll. will see by the inclosed letter. I have sent

now by this expresse to Coll. Beeckman to send what forces he can gett ready in Ulster County with the very first and designe to send for all the farmers in and make what force I can since we have so long warning and doubt not but shall be able to make a good defence although the fusileers here in Towne and at the outposts are not above 245 men as your Excêll will see by the muster rolls sent up now I have not time to enlarge as soon as any thing offers shall send your Excêll an account therefore shall conclude with my duty to your Excêll & me Lady and that I shall always be

Yor Excêll
Dutyfull & Obedient
humble servant
RICH: INGOLDESBY.

Albany Janry 12th: 9¾

for their Maties Service
To his Excêll Ben. Fletcher Captain Generall
and Governor of New yorke Pensilvania and
Territoryes thereon depending in America
&c. in New yorke

A true copy
(signed) DAVID JAMISON Cl: Concilii.

Copy of Coll. Ingoldesby letter of intelligence
from Albany to his Excêll. Ben: Fletcher
& dated Janry 12th 9¾ N° 10.
B: G:
P: 20:

Major Peter Schuyler's Journal, &c.

[New-York Papers, IV. G. 46.]

Journall off Maj: Peter Schuyler's intended Journey to ye five nations begunn ye 4th of January 169¾

After yt I had stayd 14 days for ye Sachims comeing doune who sent word that they would come to Albany & understanding by Johannes Luykasse & Two Sachems sent by them that they desyred to be excused from ye Journey in this Season of the yeare I did according to his Excêll Benj. Fletcher Capt Gênll Instructions depart from Albany the 4 of January takeing Major Wessells and Hille ye Interpretesse along with me to goe to Oneyde where I had appointed ye Sachims of the 5 Nations to meet me and arrived that night at Schinnechtadij.

The 5th do. We went from Schinnechtadij, and arrived yt day to ye Praying Maquase Castle called Tionondoroge.

The 6th d°. We went from y^e^ first Castle of the Mohoges to the last where we founde all the Sachims and young Indiance conveind who receivd us kindly makeing a long speech of what had passed in former times with many repetitions were glad to see us there not doubting but it would tend to the well being of all the Nations for we said they[1] lye amazed & discomfited upon our knees and know not what we shall doe wee understand y^t^ it was concluded in the last meeting at Onnondage when Maj^r^ Wessels was there in the Sommer y^t^ y^e^ Gove^r^ of Canida should not be heard speake by any messages but directly at Albany by his Excèll. but we understand y^t^ Tarriha is again come to Oneyde & y^t^ the French Gov^r^ doth still insist for Commissioners to be sent to him from the 5 Nations to speak of Peace and therefore doubt not but y^w^ are sent for by y^e^ 4 Nations for that purpose altho we are much troubled when we consider y^e^ difficulty of y^e^ way by the extream deep snow which will hinder your journey.

Maj Peter Schuylers answer to the Mohogs

Brethren

You say y^w^ lye all discomfited why so? y^w^ have brisk men, still I doe rear yow up again & put yow upon your feet & yow shall goe along with me to the Gen^ll^ meeting at Oneyde where I have called all the 4 Nations together True it is y^t^ Tarrigha the Messenger is arrived from Canida, to Oneyde and that the 4 Nations sent word to his Excêll: that he was come requesting his Excèll: to send some Commissioners to be present at a meeting at Onondage but before the Messenger came to Albany had sent an expresse to the Sachims acquainting y^m^ that I expected them & y^e^ Messenger to come douwne to Albany according to y^e^ last conclusion made at Onnondage & that in the meantime I would inform his Excèll: y^e^ Gen^ll^ of y^e^ arrivall of the Messenger to Oneyde and receive his Excell^s^ commands about it but in stead off y^e^ Sachims and Messengers comeing doune according to engagement y^e^ 4 Nations send us a resolution which they have taken & caused y^e^ Jesuit putt itt upon paper and sent it to Albany and woul have our [a]dvise upon it. I have therefore by his Excèll. commands undertaken this troublesome journey to which I invite the Brethren to goe along with me and help to consult y^e^ publike good of y^e^ whole house I have sent an expresse before y^t^ the Sachims doe meet me at Oneyde upon w^ch^ y^e^ Sachims desyred me to stay y^e^ Sabbath day being y^e^ 7 of January & they would counsill together according to there custime & I stayed there the 7 & y^e^ 8 they deputed 4 of there Sachims to accompany me to y^e^ Gen^ll^ meeting to goe along with us to Oneyde.

The 9th do. Went from y^e^ last Castle of the Mohogs & came to y^e^ old Castle called Tionondoge which y^e^ French burnt last Spring and stayd there y^e^ night.

The 10th d°. We march^d^ from Tionondoge & haveing gone about 12 miles founde a verry deep snow which made me almost resolve to turn back being impossible to p^r^form the Journey upon y^e^ way a Indian mett us who brought us y^e^ news a[s] I writt it y^e^ 10th Instant from y^e^ Oneydes boss[2] to which this is referr^d^ he told us further y^t^ the higher we went y^e^ deeper the snow was & y^t^ we could not possibly gett throw upon w^ch^ wee resolved to turn back and to send 2 Indians forward with a belt of wampum to acquaint y^e^ 4 Nation y^t^ I was come so farr but y^e^ deep snow hindred my comeing to y^m^ and therefore expected y^e^ Sachims with a hundred brisk young Indians to come with all speed to Albany chargeing them expressly not to send to

[1] *Sic.* Most probably, "for *they* said *we* lye", &c. — Ed.

[2] A corruption of the Dutch word, "Baas", signifying, *Master.* — Ed.

Canida but first to come here y^t^ wee might consult together what was fitting to be done in an offare of this import & so arrived at Albany on y^e^ 12^th^ d^o^.

PIETER SCHUYLER

A true Copy
(signed) M: CLARKSON Sêcry.

Endorsed—Copy. Journall of Maj^r^ Schuijlers
intended Journey to Onondage begunn the
4^th^ of Jan^ry^ 169¾.
Rec^d^ 13 June 94.
B: G:
P: 46:

Order in Council to prepare a Pardon for Leisler's Adherents.

[New-York Entries, III. 91.]

At the Committee of Trade and Plantations At the Council Chamber at Whitehall, the 12^th^ of March 169¾.

Upon reading a Letter from Coll: Fletcher Governor in Cheif of New York dated the 5^th^ of October last Representing that in pursuance of his Maj^ts^ order he had discharged all Proceedings against Persons for assisting Leisler setting them at Liberty, And that Gerardus Beekman Mindert Courteen, Tho: Williams, Johannes Vermellies, Abraham Brasier, and Abraham Gouverneur being under the sentence of death for the same, he advised them to make Application for their Pardon, But on the Contrary not owning their liberty a favour or departing from the Ju[s]tification of their Crimes some of them have been Elected of the Assembly which Collonel Fletcher could not suffer, Wherefore humbly Prays they may be Pardoned or Executed, And the Lords of the Cômittee taking notice that upon a former Representation of the Committee on the 7^th^ of April 1692, Her Majesty was pleased to declare in Councill that upon the Humble application of the said Persons her Maj^ty^ would order them to be pardoned and their Estates to be restored to them as objects of Her Maj^ts^ mercy, for which nevertheless no application has been since made their Lords^ps^ agree to lay this whole matter before his Maj^ts^ in Councill, and thereupon to move his Maj^ty^ that for the quieting these differences in New York, his Maj^ty^ would be graciously pleased to order a Pardon for the said Persons above mencôned to be past the Great Seal at his Maj^ts^ charge, and that M^r^ Auron Smith may be directed to solicite the same.

MEMD^m^ The 15^th^ of March 169¾.
It was accordingly ordered that the said Pardon be past without Fees.

Governor Fletcher to the Committee of Trade and Plantations.

[New-York Entries, III. 105.]

New York the 28th March 1694.

May it please your Lopps

Our Indians of the five Nations are now become so weary of the warr and so farr prevailed upon by the presents and Power of the French of Canada that it is impossible to engage them to turn their Arms that way; by the papers accompanying this your Lordships will perceive what stepps the Indians have already made towards a Peace. I have been at great charge and pains to divert them hitherto, and am now going to meet them at Albany, It is beleived by the best Experienced people in this Country there's a Necessity to give way to their humour of making peace with Canada, including the safety of this Province, Provided the French nor the Indians make no Incusions upon us nor come on this side the Lake, but I doubt they cannot be neutrall. Nothing has given discouragement to the heathen more than the weakness of Our Forces being negle[c]ted by our Neighbours, the warr is left wholy to a small handful of people in this Province who are [in] the first line of Battle, and by Necessity must be Exposed to defend Our Neighbours on the Maine whilst they sit at ease, Our Assembly did lately sitt and in hopes of speedy releif have ordered subsidy for one hundred and seventy men for one year to commence first of May next. I hardly know where to find the men or money without the ruin of a great many familys, most of our youth are removed into our Neighbouring Colonies to avoid the payments or service, And Except thirty men from the Jerseys (which is due to the Conduct of Coll. Andrew Hamilton their Governor) we are like to have no Assistance from any of them, Sr William Phipps gave the positive denyall, Virginiaand Maryland by their Commissioner pretended that by their Majts Order they were only required to concerte and agree with the Neighbouring Colonies concerning Quota's of Men and other assistance to defend the Fronteers during the warr, therefore could not proceed unless the rest would comply Their Majts did likewise order five hundred pounds Sterl: out of their coffers in Virginia and two hundred and fifty pounds Sterl: from Maryland, which is not paid, they discount the said sûms by former assistance in bills given long before they received their Majts Orders, which bills were here understood to be the benevolence of their Assemblys; and those we had from Maryland for three hundred sixty-two pounds eight shillings drawn by Collonel Copley upon Richard Hutcheson Esqre in London are returned to us protested. Pensilvania will neither kill Contribute aid to the Arm of flesh, so that this Province is rent and torn in peeces, most of the Inhabitants either removed to Pensilvania or Connecticutt in the time of the disorder of Jacob Leisler deceased did assist him at Albany with one hundred men and Maintenance, but since the arrival of Goverr Sloughter with authority from the Great Seal of England they have neither added one man nor one farthing to the Assistance of this Province though abundantly nearer Scituate to our Fronteers than Long Island (now called Nassaw) which is above two-thirds of this Government.

He is going to Albany to perswade the Indians from treating with the French

A Subsidy raised for 170 men for a Year.

Sr William Phips has refused his assistance.

The Maryland Bills Protested.

Pensilvania will not contribute.

Connecticutt afford no assistance.

I hope your Lordships will it into serious Consideration the Circumstance of their Province, and favour these requests which I have given in my Memoriall presented to your Lordships

for the relief and defence of this their Majᵗˢ Province more particularly the pay of the two Companies of Granadiers who are in great want thereof.

I am,

May it please your Loᵖᵖˢ Your most obedᵗ most faithfull humble Servant

BENJ: FLETCHER.

Propositions of the Five Nations at Albany.

[Board of Trade Papers, New-York, III.]

PROPOSITIONS made by the Sachims of the Five Nations the Maquas, Oneydes, Onnondages, Cayouges and Sinnekes in the Citty Hall of Albany the 2ⁿᵈ day of Febrʸ 169$\frac{3}{4}$.

PRESENT— The Mayor and Aldermen.
Deganistore, Sachim of Onnondage Speaker.
Brother Cayenquiragoe and Quider.

[Cayenquiragoe in their language signifies Great Swift Arrow, the name which they gave to His Excell: Benj: Fletcher, for his expeditious coming to their assistance, when the French and their Indians came to destroy their Castles in Febry 169$\frac{3}{4}$ which they repeat at every article, tho' his Excellcy is not present in person; afterwards they add Quider, which is a name they give Major Schuyler, whom they desire to communicate their speech to his Excellcy.]

Wee the Representatives of the Five Nations are come hither to acquaint you that our children the Oneydes one of the Five Nations have of their own accord sent a Messenger to Canida who returning brought us a belt of peace from the Govʳ of Canida but we answered him that we being dependants of this Governᵗ could not resolve to any thing without Cayenquiragoe.

As soon as Tarriha the Messenger from Oneyde came to Canida with our message and Belt, the French asked him where the six hundred Men were to come to attack them, for Cannockhere a Maquass deserter told them that it was concluded by the Five Nations to betray them, but Tarriha told them, there was no such thing.

Tarriha being come to Quebec to the Govʳ delivered the Belt, and told the Count Frontiniac, that if he would have peace he must goe to Albany and get it, for the Five Nations would do nothing without Cayenquiragoe. Upon which the Govʳ of Canida was angry and said, he had nothing to doe with the Govʳ of New Yorke, he would only treat with the Five Nations, for the peace that related to the Christians must come from over sea, and said further, he was sorry to see the Five Nations so much degenerate as to receive the English at their fires in Onnondage and submitt to them, wherein formerly they were only Five Nations, and now they had taken in the sixth Nation to rule over them.

The Govʳ of Canida said further, if you had told me to come and treate in any of your Castles, I would have come, but you tell me I must go to Albany, which is a place I can not goe to, to treat of that subject; you have done very ill to let the people of Albany so triumph

over you that you can doe nothing without their consent, therefore I must tell you again, that two of each Nation come to me, whereof Dekanitsore must be one, I having orders from the King my Master that if you come in your proper persons and desire peace to grant it to you.

Children of the Five Nations!—said the Governor of Canida, I have compassion upon you little children, therefore come speedily and speake of peace, else I will stop my ears for the future and by all means let Dekanitsore come, for if the Maquasse come alone, I will not hear them, lett some of all the Five Nations come. Now Tarriha goe home and tell the Five Nations this, and that I will stay for their comeing till the trees budd or the Bark runn in the spring. I go home for France and leave a Gentleman here to command, and if you come not in that time, he has my orders to raise souldiers, and see then what will become of you. I am really much concerned and grieved to see that the Five Nations are so much debauched by Cayenquiragoe the Gov^{r} of New Yorke, who is come in a ship lately to that Country and by Quider; for formerly the Cheife of the Five Nations used to come and converse with me but now the Gov^{r} of New Yorke has soe much deluded them, that they will not hearken, but let them see what will follow if they proceed. Here ends the Gov^{r} of Canida's discourse with Tarriha the Oneyde Messenger who arrived with the Message in Oneyde in November last.

The Five Nations by their Speaker Deganitsore, make their apology, that they did not take the letters from Tarriha and send them to Albany according to their promise, laying the blame upon the Oneydes whom they had enjoy[n]ed to do it, but they have deceived them.

They also make their apology for their not coming hither to Albany as soon as Tarriha came, to consult about the Second Belt sent by the Gov^{r} of Canida; the reason was, because Aquenderonde the Cheife Sachem of the Onnondage had a sore leg and could not travaill,[1] whereupon he (Dekanitsore the Speaker) took upon him to call the meeting at Onnondage and invited Quider to it.

When the four Nations were convened at Onnondage (the Maquas were not there) the Sinnekes, Cayouges, & Oneydes said: why do we not go to Albany as it was concluded in the last general meeting, and there consult on this weighty affair; but the Onnondages replyed, no, let us send for Quider heither with the Maquaes, since Kagueendaronda is not fit to travail, and so sent a Messenger accordingly; when they had been convened some days the Sinnekes, Cayouges & Oneydes asked the Onnondages if they were fully resolved to keep the meeting at Onnondage and not go to Albany, and if they would conclude any thing upon the Gov^{r} of Canida's second Belt; the Onnondage replyed, Yea, we are fully resolved to send an answer to Count Frontiniac, then the three Nations threw each a Belt of Wampum down for the Onnondages and said, let us then answer the Gov^{r} of Canida of peace.

The Onnondages took up the three Belts and said, they thanked them, but withall said, they would send no Message to the Gov^{r} of Canida, with the advice and consent of the Brethren of the East, that is this Gov^{mt}, and the Mohawques and thereupon resolved to send an account to Albany of all their proceedings for they had in said meeting proposed to send three Belts of Wampum to Canida with the following propositions; but not without the consent and knowledge of Quider.

First Belt. Onnondio (the name they give the Gov^{r} of Canada) you have often send for me, and now I am come; you asked why I was affraid to come, the reason is because of the Great Kettle of Warr, which you hung over, but now since I am come will you grant what I

[1] This, in the Indian Idiom, signifies a trifling excuse of an unwilling person. *Colden's Hist. Five Nations*, 8vo., 158.—Ed.

shall ask with the other two Belts I brought along with me; and soe designe to lay down the first Belt.

Second Belt. We doe not only throw down the kettle of warr and spill it but break the kettle into pieces that it may not be able to be hung over again, meaning an everlasting peace.

Third Belt. Hearken Onnondio, You are sent from the French King your Master as Cayenquiragoe is sent from our King and Queen of England what I am now going to say to you is by inspiration of the Great God in Heaven. You say you will have nothing to doe with our Brethren of Cayenquiragoe's Govern^{t}, but we must tell you we are inseparable, we can have no peace with you so long as you are in warr with them, we must all stand and fall together, therefore we can doe nothing in it nor have peace except our Brethren and you are in peace.

This being concluded the Jesuit Millet who was sent for to Onnondage, insisted very much to have that honour to make two propositions with two Belts to send to Canida to promote the publick good. (he being in the room of a principal Sachem of Oneyde became Sachim in his stead, and therefore has a vote with the rest of the Sachims of Oneyde; there is likewise a Gentleman lately taken prisoner from Canida and given in the room of the Cheife Sachim of Onnondage) The preist was told to speak and to write what he had spoak, who spoke as he writt in the paper, which we brought only with this distinction that Lamberville the Preist was to be sent for back from France to Mount Reall not to Onnondage, and that they doe not acknowledge him for their pastor.

The Speaker Dekanitsore proceeded in a long discourse related how that two Indian Squaes were running away from Quebecq, who met with six Sinnekes a hunting, one of the said Squaes staid with the Sinnekes, but the other went to the Canida Indian praying Castle called Cachanuage, & there told the great inclination she had to go to her own Country again, whereupon, the Sachim of the French praying Indians called Tatachquiserax said that he was sorry for the Five Nations since if they would not make peace with the French, they would go in the spring with a great army and destroy them and their Castles but take possession of their Country, for the Gov^{r} of Canida was makeing great preparations, had given orders for the makeing of Draechbants or Belts, they carry packs withall by 200 and 400 and therefore told the said squae, that he would send an Indian along with her to Onnondage to warn the Five Nations to come speedily before the French destroyed them; the said Squae and Indian arriving at Onnondage they sent for all their Indians from hunting that they might see, they were upon their guard and sent for the six hundred Indians that ly between them and Canida, whom the said Indian and Squae passed by and despatched the Indian back to Canida, with another Indian of their Castle since he could not goe soe farr away alone and with him a Belt of Wampum, whereby they sent them word, that they would come in the spring and speak with the Gov^{r} of Canida, for, said Canisore, here is the Flagg which is delivered me to be the sign and so sent them back to Canida.

This is a true account of all the Messages we have received from Canada, and as for the Preist Millet that lives in Oneyde we have been often told by the Gov^{r} Cayenquiragoe and Quider and indeed by all of any note that loved our welfare that the said Jesuite would deceive and delude us and we finde it now to be true by his own letters which he has wrote and now interpreted to us by Dñus Dellius, but by all his art and subtilty he has not so far deluded us, but we are still the same people as we were, and therefore shall not trust him for the future.

After this the Speaker Dekanitsore stood up and said.

Brother Cayenquiragoe and Quider.

Whatever misunderstandings have arisen between us occasioned by Jesuites letters or otherwise let them be buryed in oblivion and our hearts re-established in love and unity as formerly, and whatever storys may be brought upon by the Rumcarryers, believe them not till you have a token from us. We have now told you what the Gov^{r} of Canida says and his words are now before you, therefore consult what is proper to be done and acquaint us that we may consider upon it; we are now come to you, and if there should be occasion for your company in the Countrey, by reason of our Sachims indisposall, we desire that you be not backwards to come. doe give a Belt of Wampum 11 deep and seven fathom wampum.

After they had done speaking, the letter which Dñe Dellius received yesterday of the Preist Millet was interpreted to them as also the said Jesuits explanation of the 3 Belts that the Five Nations would have sent to the Gov^{r} of Canada and the explication of the two Belts of wampum which he desired he might send to Canida. And the Sachims were dismissed and told to meet tomorrow when they should have an answer.

Albany the 3rd of Febr^{y} 169$\frac{3}{4}$.

Major Peter Schuyler's answer to the Five Nations.

Brethren. As soon as I had notice of Tarriha's returne with the second Belt of Peace from Count Frontiniac Gov^{r} of Canida, I sent to his Excellency Cayenquiragoe our Gov^{r} General the news but never did imagine that you would be so treacherous to your own interest and promise as to offer, to have called any meeting to consult of that matter, when it was so positively agreed upon at the last meeting at Onnondage that Albany was the place of meeting, and that all power was given to Cayenquiragoe over the Five Nations as the Gov^{r} of Canida has over his Indians, and further, that none of the Brethren were to hearken in the least to that perfidous Enemy, but immediately to have sent their Messenger and his letters and belt heither. You may be sure his Excell^{cy} will not be satisfyed with your apology and excuse in a matter of so great import, after your engagement to Act nothing without his knowledge and consent, if you had imployed your time to perswade your Children of Oneyde as you call them to deliver up the Preist Millet according to their promise who is a pest in your Countrey and puts you upon all these irregularytyes, you would have done better.

You have now related to me the transactions in your Country concerning the affairs of Canada and say, that the words of the Gov^{r} of Canada is now before me; I need not take much time to consult about it, having his Excell^{cys} particular commands lately from New Yorke to tell you that you break of holding any correspondence with the French or sending to Canida, but on the contrary to deliver up the Preist Millet who daily betrays all your actions.

Brethren. I need not enumerate the many tokens his Excell^{cy} Cayenquiragoe has given how firm and strickt he keeps the old Covenant Chain since his arrival to the Govern^{t}, for before ever he saw your faces he would not hear the Farr Nations (who made their application at New Yorke) speak of peace until they came to Albany, the place of Treaty and the Five Nations present.

This Govern^{t} hath been always true and steadfast to you and ready at all times to protect and defend you against the French as when they came to hurt you in February last, nay I

would fain know if any of the Brethren can tax us or instance any one thing wherein you ever found this Govern[t] unfaithful to you, and on the contrary, have not the French (of whom you have received this last Belt of peace and sent them word you will come to them in the spring) always been perfidous to you and when they speak most of peace they have warr in their hearts; did not they do so at Cadaracqui. The Gov[r] of Canada expects you shall come to him and ask peace and forgiveness and become his Children and Slaves, whilst in the mean time he is afraid of your greatnesse; the French have alwayes done the first mischeife, even in time of peace, and ought to beg your pardon and forviveness in your own Country if they desire it which if they doe that, you then signify it to his Excell[cy] the Great Swift Arrow and take his advice and directions.

I am ashamed to see such a consternation and confusion among the Brethren of the Mohawques when I passed by 3 weeks agoe complaining, that they were got upon their knees, whom I was forced to rear up—the French have not brought you so low yet, are we not all in one Covenant Chaine, it is against the honour of your Ancestors to truckle to the French and the going to Canada for peace will be a marke that you are in the wrong and bring you and posterity into perpetual infamy & slavery to the French for ever hereafter. His Excell[cy] has charged me further to tell you that if the French have any thing to offer to you in your own Country, he promises upon intimation thereof to give them a passe for their protection to come along with you to Albany when his Excell: will meet and speak with you and I doe therefore now in his Excell[cys] name warn you to be here with the principal Sachims of the five nations in seaventy dayes, when his Excell: will be here to meet you.

Lastly, not to burthen your memorys, remember but these two things, and tell it to the rest of the Sachims as soon as you come home, not to keep any the least correspondence with the French, but be faithful to your last agreement made at Onnondage, not to doe any thing without Cayenquiragoes advice and consent. Doe give a Belt.

Next, that you will be faithful and faile not to be here at Albany to meet his Excell[cy] in 70 dayes time, & that you Dekanitsore come along with the Sachims, and I will send his Excell[cy] an account accordingly. Doe give a Belt of wampum.

The Five Nations Reply to Major Schuyler's answer in Albany the 5[th] of February 169¾.

Brother Cayenquiragoe and Quider.

The Gov[r] of Canida has often sent for us to treat a peace upon which we have had several consultations, in the mean time Cayenquiragoe and the Maquaes have with patience waited for our comeing hither and wee Five Nations are come now to acquaint you, that what you have said to us now is acceptable, all misunderstandings being taken away, you have told us to keep no correspondence with the French and given us a Belt of wampum thereupon w[ch] Belt we will lay before the Souldiers of the Mohawks, Oneydes, Onnondages, Cayouges, and Sinnekes, & waite their answer. We have understood that you also tell us, that if any of the French or their praying Indians come to us in our Countrey to treate that we shall bring them hither and that they shall have a free passe and not be molested, you have also proposed to us to be here in 70 dayes to meet his Excell[cy], which we accept and promise to doe, we have never disobeyed your commands as it was concluded at Onnondage, that all should be referred to his Excell[cy], so we acquiesce and hold that resolution firme, but as for

the Dekanitsore to come in person, I cannot promise, before the Assembly of our Nations have concluded the point, and if they think fit to send me, I shall be willingly to come.

We did not expect when we came hither, to hear that positive proposition of not keeping any correspondence with the French, there is now a time of 70 dayes appointed to meet again if there be any mischeife done by the Enemy, in the mean time let nobody complain, neither let us blame one another, and if there be any thing further to be said, let it be spoak now while we are convened together. Doe give a Belt of Wampum 14 deep.

We conclude with that repetition, that if there be any thing else that can be devised or thought upon for the publick good and our preservation and security in general, let it be proposed now and consulted while we are together, and so ended their discourse.

After they had done, Major Schuyler asked whether they did not now promise to stop all correspondence with the French, either by the Jesuite or otherwise for the space of 70 dayes and until they see his Excell: Cayenquiragoe.

The said Dekanitsore answered, that he would lay downe the Belt of Wampum in all the Five Castles and tell that by it was signifyed to hinder all correspondence with the French, but he would engage that they will perform it.

Major Peter Schuyler's Answer to the Five Nations' Reply—

Albany the 6th of February 169¾.

Brethren. I have convened you together again to tell you that I am not satisfied with your dubious answer, you made yesterday, it not being agreeable to the proposal made to you by His Excellcy's commands, therefore I would have you be plain, and consider better of it and give me your answer; I would not have you to truckle to so perfidious a people as the French have alwayes proved themselves to you, doe not be discouraged. Doe give a Belt of wampum.

It seems the Heavens are propitious unto us, for this day we have the Forerunners of the Showannees Farr Indians come to Towne with one of our Christians that was sent thither, who gives us an account that they are coming with seaven Nations of Indians with women and children, in all a thousand souls, and are upon the way hither with Arnout the Interpreter; as you have the news from their own mouths, therefore be brisk, be not afraid, & acquaint the Five Nations herewith when you come home. Doe give five fathom wampum.

The 7th February 169¾. Afternoone.

PRESENT—Major Schuyler.—
John Abeel, Mayor.
Dirck Wessels Recorder—
Evert Banker—
Jan Janse Bleeker—
Jan Lansingh—
Pr Vosburgh.
Pr Bogardus—
Albert Ryckman—
Martyn Gerrytse—
Gerrit Theunisse—
Dirck Theunisse—
Killian van Ranslaer—

The Sachims of the Five Nations being convened in the Citty Hall, the Speaker of the Five Nations Dekanitsore came and called Major Schuyler and the Mayor and Aldermen and Justices of Albany who were all in Towne being sessions time, and said they were ready to speak, saying:

We have according to your desire, maturely considered the affair you told us of yesterday and earnestly desire that you would be pleased to grant that which we have considered, and desired an answer thereupon.

Major Schuyler answered, that whatever should be proper for him to grant, he would do it, especially if it were for the honour and safety.

The Indians said:

Brethren. You have now shut up the way from hence to Canada, and we agree and concurr in the matter, but think it requisite to send a Messenger to their praying Indians, to tell that we do not come because we have committed an errour this fall, by sending an Indian of Onnondage back to Canida with the French praying Indian, to tell the Gov^{r} of Canida of our coming in the spring, but we finde the Jesuite is false in all his doings, and therefore we will send word to the French praying Indians by this way over the Lake, that the French need not expect us in the spring, for we must attend Cayenquiragoes Commands; we do not designe by this Messague to send for the Gov^{r} of Canida heither, but to hear what he has to say.—

We have concluded to send two Messengers, a Maquaes and an Onnondage, the one called Adaggeras, and the other Ohistade, and we desire that this may be granted, and as a token that you approve of our proposition, we desire that you will be p[l]eased to send me along with them, and if not, at least to write the explanation of our Belts and Message, that there may be no mistake and that the French may take no advantage.

Major Peter Schuyler produced his Excell$^{cy's}$ instruct^{ns} and caused them to be read before the Mayor and Aldermen and Justices asking their opinion, if he could grant to send the said Messengers as the Ind^{ns} desire.

Whereupon they answered, nem: con: that since they finde it impossible to keepe them from makeing peace with the French or keeping Correspondence with them, that the granting their sending of Messengers to the French Praying Indians this way, may divert them from further treaty for the present and the Message be only to tell them, that they can not expect the Five Nations in the Spring, as they promised since they are to meet his Excell^{cy} Cayenquiragoe, that if the French or their Indians, had any thing to say to the Five Nations, they might come to them in their own Countrey and in the mean time, there be no correspondency with the French from their Country till they had seen his Excell^{cy}.

The Indians were answered that it should be granted them to send the two Messengers upon the aforesaid conditions, that neither Priest nor any other Indian should correspond or send or go to Canada till they had spoak with his Excell^{cy} and that the Messengers are to tell the Praying Indians, that they must not expect Commiss^{rs} from the Five Nations in the Spring as they promised, since the Gov^{r} Cayenquiragoe has laid his commands upon them to meet him at Albany, and that if the French or their praying Indians have any thing to say to them, they may come to them in their Countrey, for Cayenquiragoe has promised them a passe that they may freely come to Albany, where he will meet them.

Albany the 8th of Febr^{y} 169$\frac{3}{4}$.

This was agreed to, and the Indians desired this to be added, that in the mean time there be a cessation on both sides till the Messengers return.

Albany the 9th of Febr^{y} 169$\frac{3}{4}$.

After the three proposals were translated into French, the Sachims of the Five Nations came to Major Schuyler at the Maqua's house and said; The Five Nations do grant, they

have committed a mistake in sending to Canida without the knowledge of this Govern^{t}, do therefore desire leave of Quider who represents his Excell^{cy} Cayenquiragoe the Great Swift Arrow, to send two Messengers to the Canida praying Indians, with the following Message and tendered three Belts of Wampum to be given with the proposals.

Major Schuyler told them to give the three Belts to the Messengers themselves and tell what they shonld say, and it should be so sett down upon the paper, which they agreed upon, should be as follows:

> Explication of three Belts of Wampum which the Sachims of the Five Nations, convened at Albany the 9th day of February 169$\frac{3}{4}$, do send to the Jernaistes, or French praying Indians of Canida, by two Indians, a Maquas and Onnondage.

1. The first Belt says that the Sachims cannot come to Canida in the Spring as they sent word by the last Messenger from Onnondage, for the Gov^{r} Gen^{ll} Cayenquiragoe the Great Swift Arrow, has sent for all the Indians to meet him at Albany in April next, when the Five Nations have concluded to be present.

2. The second Belt says, that if the Jernaistes, the French praying Indians, or the French have any thing to offer to the Five Nations, they may come to them in their own Countrey, this Belt opens the way to come and go in all security.

3. The third Belt signifyes that their hatchet of warr and that also of their friends, shall be bound till they have an answer hereof which they expect in 40 dayes, provided that the French and Canida Indians during that time also binde up theire hatchett of warr.

With which explanation and three Belts the two Messengers went from the Flatts to Canida the 10th of Febr^{y} and four Christians that had been out Scouts went to convey them as farr as the great Lake

a true copy. M. Clarkson, Sec^{ry}.

Reverend Mr. Dellius to Governor Fletcher.

[New-York, B. T., V. G. 50.]

New Albany 12 Feb: 169$\frac{3}{4}$.

Sir

When the agents of the Indians were in this Citty on the 2^{d} of this instant month, came to my hands from the Jesuit Milet the inclosed letters with 6 gold Spannish pistolles, to buy for him some shirts and stockins, which letter I have answered as appeares by the inclosed Coppy, w^{ch} was sent him with the s^{d} goods. Uppon the desire of the Indians but chiefly of Maj^{r} Shuyler have I translated into Frensh the explication of the Belts which two Indians tooke with them to Canida, in an open paper. The Kannassoor who was the Cheif of the Messengers here, insisted verry much to have a coppy, to the end the Frensh, as he alledged, should not deceive him with a wrong explication, w^{ch} s^{d} coppy was given him.

S^r itt is almost incredible how much the Indians are inclined to make peace with the Frensh; and to divert them therein have I infused the Proselites and by them the other Mohaakx, that they have the greatest reasons to be dissatisfyed about the proceedings of the other Indians, who have without their preallabel advice and consent, thus farr treated for peace with the Frensh; and by them I gave alsoo the other Nations to understand that they could not make any peace with the Frensh, without breaking their word & covenant with yo^r Excêll. and in time to make all the Indians and Christians of this and the other governm^ts to be their ennimies, and when they should once happen to fall into warre againe with the French, which would undoubtedly [be] ere long, as the experience of former times have evidently made apeare, were they, with their wives and children then would bee, and to whom they should fly for succour.[1] And therefore if they continued in those proceedings they would find them most pernicious for their country and people. These and the like reasons did prevaile upon them for that time; but I am apprehensive that by the delusions of the Jesuit in their country they will be otherwise perswaded. I hope the affairs may continue in the posture they now are till your Excêll. arrivall here, when I doubt not but by your Excêll. prudent conduct and wisdom all may be brought to a good end, and in the interim recomanding your Excêll. by my prayers, in the protection of the Almighty God, with a profound respect I am, Sir,

Your Excêll. most humble &
most obed^t Serv^t
DELLIUS.

A true Copy.
(signed) M. CLARKSON, Sêcry.

(Indorsed.)
"Copy. Translation of M^r Dellius letter
"to his Excêll. Ben: Fletcher dat. 12 Feb.
"169$\frac{3}{4}$."

Reverend Father Milet to the Reverend Mr. Dellius.

[New-York Papers, IV. G. 48.]

Onnei8t y^e 31 of Jan^y 1694.

S^r

The peace of Jesus Christ

It is with some averseness I write because I have not received an answer to that which I writt to you by Oannonroxas d'Annie, which was of consequence.

My Brothers Bannasitoron and Tarsha makes me take the pen in my hand again, to know what has bin the occasion of severall false reports & ill discourses which dishonours the Agoiandres Iroquois

They called me to Onnontage where they were assembled, and made me write in full councill, where I desired the Armourer and Smith of Onnontage might assist, after I had given

[1] *Sic.* Probably intended to read, "where would they, with their wives and children then bee, and to whom should they fly for succour."—ED.

the paper to Bagsantara, he asked my leave to send it to Albany. I told him I had made him Master of it by putting it into his hands, and that it was his writeing, or the resolution of the whole councill rather then minè, because there was one article in the explication of the first Belt I did not approve of, and which was against the true Christian manner of speaking, or of children well instructed according to the order of God.

Bagsontara had ordered the Messenger to bring back the said paper, and to make three, so that they might desire the Minister of Albany to inform us in French or Iroquois what the could dislike that it may be corrected in the Councill if it should seem convenient, because they endeavour to doe things soe well, that they may not be reproached Wee are seen from Heaven, and from farr upon Earth.

The Messenger in goeing by said that M^r^ Schuyler was bringing the paper and letters not only from Mons^r^ the Minister but alsoe from Bonando all this proved false. They make me write this letter to know what there is of truth, and what has bin disliked in the explication of the three Belts because all is not soe firmly done, as not to be altered, if it be thought convenient therefore those articles must be marked, upon which any objection shall be made.

I am informed they discourse att Albany my letters must not be carryed to Cannada, and they desire to know who is the Author of these reports? and if he would have the Ambassadors ill received or that they should not returne? 'Tis well known that without my letters Tarsha had not returned as he did his returne shews the malice of these Calumnies, and of many others. I add that the Councill of Oneyd have resolved to send me w^th^ the Ambassadors which are designed for Montreal or Quebec, and therefore I may be the Messenger my self of your letter w^ch^ I received from your Gannisoren and of what else you will add. I recomênd this Journey to your prayers, and am with all my heart

S^r^ your most humble & obliged serv^t^ in
our Lord PETER MILLETT of y^e^ Society of Jesus.

I have six Spanish Pistolls given me to assist the Poor, the Orphans, and the other unhappy wretches of this Mission. be pleased S^r^ to give them to your Lady that she may buy some shirts great and small & some stockings as cheap as possible.

I shall write to Cannada what I will receive, and they will partake of the benefitt and of the Glory which will return to God. If this Messenger and a lame woman called Haunhcion one of my sisters can't carry all, I desire to write to me what remaines, so that I may have it brought by another oppertunity.

They sent this time Spanish gold rather then French, to the end it may give no suspition. Our profession obligeth us to be obligeing to all, and to offend none? Why do they then despise us? and why doe they endeavour to cry us down by severall false imputations. Is it not enough that wee have suffered within this five yeares. S^r^ you spoke to me about endeavouring my deliverance, but if those slanderers had bin beleived, instead of my being delivered they would have added to my bondage. What will these gentlemen say to God when he makes sensible of the good entertainm^t^ I have received from the Indians in comparison to what they have said and done against me God forgive them as we wish he will forgive all.

To M^r^ Godefridus Dellius
Minister of Albany

A true Copy
(signed) M: CLARKSON, Sêcry

Endorsed—Copy translation.
The Jesuite Milett's Lrê to Mr
Dellius at Albany dated 31th Janry 169¾.
Recd 13 June 1694.
B: G:
P: 48:

Reverend Mr. Dellius to Reverend Father Milet.

[New-York Papers, IV. G. 49.]

Albany the 9th of Febv 1694.

Sr

You write to me I have not answered your letter of the 9th of Decembr last, the measures you take obliged me to the contrary, for to say that if the English Gentlemen did not take care they would make themselves the sole authors of the Warr, and that they heap mountains of difficulties one upon the other, and digg Precipices and Abysses from whence they can never withdraw without a speedy recourse to the mercy of God and imploreing the Clemency of true Kings, whom God has established as his Lieutents of Earth. Sr Between you and I, you ought to know the English Gentlemen does not fear the French Gent: they are strong enough of themselves to resist them, as was evident last Winter in the Woods, and besides the King has sent his orders, by the last vessells that arrived from England to the Governours of Virginia Maryland and New England to joyne their forces with those of Albany, so that you see they are not yet reduced to that condicon that they must speedily implore the clemency of your King. You aske my advice in your letter of the 31st of Janv 1694 upon the explication you have made upon the Belts. I tell you sincerely that it is directly in opposition to a peace and to what you write almost in all your letters that you are a friend and a servant to the English, for after what manner would you have these words upon the first Belt explained, it gives Monsr Le Comte a fine Game to play who has taken the Iroquois for his children to re-establish their affaires, to strengthen their Cabane, and chiefly to render their land independant to quite another Master and to regulate all well for the time to come, and also those of the second Belt. That they require the Reverend Father John De Lamberville or Tajorhensere that they all own him for their Pastor, and cry out highly to be defended against the Wolves, and other visible and invisible Enemies that infest their Land & seems to devour them all and make them perish.

Sr I leave it to you to judge if these are true methods to advance the peace, for the which you say you have taken so much paines, as for me I am apt to beleive, it is rather to kindle then extinguish the War, so that as long as you continue these maxims there is noe hopes of success toward a peace. If the French desires it lett them take good resolutions upon what the Agiandres Iroquois informs them by three Belts which they have sent this day from hence to ye KarigSistes of Canada, and that they may not be misinterpreted the Agiandres[1] have desired me to write down the signification of them, and that none may deceive them I have given a copy of the same to Tekannasore.

[1] *Agayandres*, or Sachems of the Five Nations. *Colden's Five Nations*, 163. — Ed.

As for the six Spanish Pistolls w^{ch} you sent me my wife has bought 26 shirts and 26 pair of stockings. I have given them all to the Messenger that brought the gold and to that lame woman you call your sister, So S^{r} If I can serve you in any thing else you need but command

Your most humble Serv^{t}

Dellius.

A true Copy. M. Clarkson Sêcry.

Endorsed—Copy translation of M^{r} Dellius letter
from Albany to the Jesuite Milett at
Oneijde dated 9th February 169$\frac{3}{4}$. Rec^{d} 13th June 1694.
B: G:
P: 49:

Interpretation of the three Belts to be sent to Canada by the Five Nations.

[New-York Papers, IV. G. 41.]

The Interpretation of the 3 Belts to be sent to Canida.

[*Omitted, being a Duplicate of the Document, ante p.* 79.]

Major Peter Schuyler to Governor Fletcher.

[New-York Papers, IV. G. 52.]

May it please your Excêll.

Ass I gave y^{r} Excêll. an account in my Last p^{r} y^{e} Post y^{e} Sachims of y^{e} 5 Nations came here with whom I have strugled 10 days as y^{r} Excêll. will see by y^{e} inclosed proceedings and they are certainly so as y^{r} Excêll. well observs both awd and wearied of y^{e} warr, and distrust much our ability to support them against y^{e} growing Power of y^{e} French I would not for any thing I had gone to Onnondage to been there at there meeting There I should have quite despair'd of ever effecting what I have done now for I never founde y^{m} speak with more hesitacôn yet I have gaind y^{t} Point to winn time till your Excêll: comes up when they all engage to be here & Dekanissora in person who is y^{e} mann y^{e} Gov^{r} of Canida soe much longs for & by these Message to y^{e} Canida Praying Indians y^{e} French will fynde they cannot to much depend upon there words but will see they are so farr influenced here to obey your Excêll. commands.

In the Intrim that we were treating with them Ger^{t} Luykasse with 2 of y^{e} farr Indians called Showanoes arrives who brings y^{e} news that Arnout y^{e} Interpreter with a considerable number of those heathen well be here next Summer and good store of bever many of our young men long to goe and meet them. I hope y^{r} Excêll. will send me orders not to suffer

above 4 or 5 to goe with y^e^ s^d^ Ger^t^ Luykasse to meet them since we know not how much we may want our men next summer I should be glad to see this place well garrisoned but fear our neighbours will continue there obstinacy the Jesuite Milet does us a great deal of damage & designd to goe himself to Canida which was y^e^ Reason made me y^e^ easier graunt there request of sending this way to stopp that road w^ch^ they have promisd till they see y^r^ Excêll. His Letters & Explication of y^e^ belts D^o^ Dellius wil send to y^r^ Excêll. I have sent to M^r^ Honan y^e^ acc^t^ of y^e^ charge of my Journey & of y^e^ Sachims being here who were 120 in all, women and children which I doebt not but y^r^ Excêll wil ord^r^ to be paid as I have engaged. I have no more to add but y^t^ I shall esteem myself wel rewarded for all y^e^ pains & trubls I have had with these Indians if what we have done have but y^r^ Excêll. approbation & good likeing in y^e^ meantime I shall remain in all humility

Your Excêll. most obedient
& obliged servant
PIETER SCHUYLER.

Albany 14 Feb.
169¾.

A true copy.
(signed) M. CLARKSON, Secry.

Endorsed,

Copy Maj^r^ Schuyler's letter to His Excêll. Ben. Fletcher
dat. 14^th^ of February 169¾.
Rec^d^ 13^th^ June 1694.
B: G:
P: 52:

Robert Livingston to Governor Fletcher.

[New-York Papers, B. T. IV. G. 51.]

Albany 14 Feb^y^ 169¾.

May it please Your Excêll.

I am apt to beleeve we are past all danger for this winter, neither did I much fear y^e^ enemy so long as they have not y^e^ 5 Nations secure, which they hard labour for; but I hope wil be deceived, when yo^r^ Excêll comes to discourse and to convince them of their error. We have had them here 10 days and they have at last promis'd faithfully (but little faith is in them) not to keep any correspondence with y^e^ French, but to meet yo^r^ Excêll. here in 70 days. In y^e^ mean time y^e^ messingers they sent to Canida will return, by whom we shall heare what they say to it. I fear nothing will p^r^vent their inclinations for peace with y^e^ enemy, except we were so fortunate to committ some spoyle upon y^e^ enemy, whereby we might be made formidable in their eys, complaining they see nothing that y^e^ English gain upon y^e^ French.

I blush to think how base people are growne & y^t^ they should so palpably discover it as

they doe now, by there voluntary gift, as they call itt; never were people more generous then they were to a papist Govern^{r} who never did nor designed them any good, & now when y^{e} Heavens has blest us with a Gov^{r} of our owne religion, we know not what pretence to make to shuffel it off. They may repent itt when too late; our stockadous for y^{e} Forth ar most rid out; y^{e} Magistrates appointed p^{r}sones to view them if y^{e} number was compleat, and for y^{m} that are wanting I have writt warrants to y^{e} Justices to cause them to be brought and y^{e} certificate I shall bring with me, hopeing to have y^{e} hono^{r} to kisse yo^{r} Excêll. hands about y^{e} middle of March. All our men are well and in health, notwithstanding they are on every other day, but hes been but a short time, and will soon come to a therd days duty. I have no more to add, but with my most humble duty to yo^{r} Excell: and my Lady I remain

Your Excêll: most humble &
most obedient servant
Rob^{t} Livingston.

A true Copy.
(signed) M. Clarkson, Sêcry.

Journal of Captain Arent Schuyler's Visit to the Minisinck Country.

[New-York Papers, IV. B. A. 39.]

May it pleas your Excêll.

In persuance to y^{r} Excêll: commands I have been in the Minnissinck Country of which I have kept the following Journall: viz^{t}

169$\frac{3}{4}$ y^{e} 3^{d} of Feb: I departed from New-Yorke for East New-Jersey and came that night att Bergentown where I heired two men and a guide.

y^{e} 4th Sunday. Morning. I went from Bergen & travilled about ten English miles beyond Haghkingsack to an Indian place called Peckwes.

y^{e} 5th Monday. From Peckwes North and be West I went about thirty-two miles snowing and rainy wether.

y^{e} 6th Thusday. I continued my Journey to Maggaghkamieck[1] and from thence to within half a days Journy to the Mennissinck.

y^{e} 7th Wendsday. About Eleaven a Clock I arrived att the Minnissinck, and there I mett with two of ther Sachems and severall other Indians of whome I enquired after some news, if the French or their Indians had sent for them or been in y^{e} Mennissinck Country Upon w^{ch} they answered that noe French nor any of the French Indians were nor had been in the Mennissinck Country nor there abouts and did promise y^{t} if y^{e} French should hapen to come or y^{t} they heard of it that they will forthwith send a mesinger and give y^{r} Excellency notice thereof.

Inquireing further after news they told me that six days agoe three Christians and two Shañwans Indians who went about fifteen months agoe with Arnout Vielle into the Shañwans

[1] The Indian name of the river Neversinck, which falls into the Delaware, a little south of Port Jervis, Orange County, New-York. *Eager's History of Orange County*, 392. — Ed.

Country were passed by the Mennissinck going for Albany to fech powder for Arnout and his Company; and further told them that s^d^ Arnout intended to be there w^th^ seaven hundred of y^e^ said Shañwans Indians loaden w^th^ beavor and peltries att y^e^ time y^e^ Indian Coarn is about one foot high (which may be in the month of June.)

The Mennissinck Sachems further s^d^ that one of their Sachems & other of their Indians were gone to fech beavor & peltreis which they had hunted; and having heard no news of them are afraid y^t^ y^e^ Sinneques have killed them for y^e^ lucar of the beavor or becaus y^e^ Mennissink Indians have not been w^th^ y^e^ Sinneques as usiall to pay their Dutty, and therefore desier y^t^ your Excell. will be pleased to order y^t^ the Senneques may be told, not to molest or hurt y^e^ Mennissincks they being willing to continue in amity with them.

In the afternoon I departed from y^e^ Minnissincks; the 8^th^, the 9^th^, & 10^th^ of Feb. I travilled and came att Bergen in y^e^ morning and about noone arrived att New Yorke.

This is may it pleas your Excell. the humble reporte off your Excellency's most humble servant.

ARENT SCHUYLER.

Endorsed, Reporte of Capt^n^ Arent Schuyler
his message to the Mennissinck Country.
Feb. y^e^ 10^th^ 169$\frac{3}{4}$.
B: A:
P: 39:

Council of New-York to the Committee of Trade and Plantations.

[New-York Entries, III. 108.]

New York 3^d^ April 1694.

May it please your Lo^pps^,

His Excell^y^ being called in haste to meet the Sachims of the five Nations of Indians at Albany, we humbly acquaint your Lords^ps^ that as he went on board he received a letter from Connecticutt the Copy whereof is Enclosed by His Excell^cy's^ order.

We know very well that twice so much can be had or done in that Colony, for ready money, as for Countrey Pay which is their six hundred pound rates, some pay Wheat some Indian Corne some Beef, Porke, Pease, Butter, Cheese, Flax, Hemp, Hides, Tallow, Soap, Tarr, &c. at double the value of their purchase for ready money, Wee are now sending Sloops along that coast to gather them up, when the charges are defalcated the neat produce of this six hundred will scarce amount to three hundred pounds New York money, which is the first assistance from that Colony since the arrivall of Gover^r^ Sloughter.

We believe His Excellency hath sufficiently recommended to your Lordships, he is unwearyed in his Endeavours for their Maj^ts^ Service, but the Province is so Exhausted it cannot answer those things His Excellency proposeth for the defence of it; it is uneq^ll^, the burden ly wholy upon us, when we sinck the rest must follow Our fate though at present they are advantaged by Our People.

Wee pray heartily for success to their Majesties Arms, the safety of his Majᵗʸ Sacred Person and subscribe

May it please you Loᵖᵖˢ
Your Loᵖᵖˢ most obedᵗ & most humble
Servants

FREDRICK FLYPSE. WILLIAM SMITH.
Wᵐ NICOLL. S. Vⁿ CORTLANDT. CHID. BROOK.

Council of Connecticut to Governor Fletcher.

[New-York Papers, IV. g. 40.]

Hartford March 20ᵗʰ 169¾.

Excellent Sʳ.

You may please to be informed that our Generall Court February 7ᵗʰ 169¾ have in obedience to their Maties. Letters of March last and according to your own motion have towards the charge of mantaining Albany granted six hundred pounds to be paid as it shall rise in the rate and at the price of the last Countrey rate to be delivered in some of our port or ports and shipt aboard some vessells for yoʳ Excell upon your risque & charge which is gathered and ready to ship upon your order. we have no vessells here but if your Excellency please to send some we shall with all speed ship it on board such vessell as you shall send or appoint And we request that the vessells may be hasted away as soon as may be for our grain will be ready in all the ports by the sea side so farr as seabrooke. We pray your answer by the first opportunity and your order to our Treasurer Captain Joseph Whiting to ship the same which with our respects is all the needfull from the Governour & Councill of Connecticutt pʳ their order signed pʳ

JOHN ALLYN Secʳʸ.

A true copy.
(signed) DAVID JAMISON Cl. Concilii

Superscription These for His Excellency Coll. Benjamin Fletcher Esq.
Captain Generall & Governor in Cheife of their Maties
Province of New Yorke at New Yorke in Fort William Henryck this d

Endorsed Copy of Connecticutt Letter.

Minute of the Board of Trade respecting Assistance from other Colonies to New-York.

[Board of Trade Journals, VII. 286.]

At the Committee of Trade and Plantations. At the Councill Chamber at Whitehall. Friday the 13th of Aprill 1694.

PRESENT—Lord President, Earl of Bridgewater
Duke of Shrewsbury S^r^ Henry Goodrick.

New York. A Letter from Coll. Fletcher to the Committee dated the 22^d^ of January last, read, giving their Lordships an account of the recent condition of that Colony and the great danger the same was in from the French and Indians, except they might have some succours from the Neighbouring Colonies. Whereupon their Lordships taking into further consideration the Report of M^r^ Attorney and M^r^ Solicitor Generall upon the several Charters of Connecticut Rhode Island and New Jersey, in order to the uniteing the strength of those Colonies for the defence of New York and Albany against the French and their Indians, Whereupon their Lóps. entering into a further consideration of the opinion of M^r^ Attorney and M^r^ Solicitor Generall, who upon hearing the agents and others concerned in the respective Colonies have reported to the Committee, That the Charters and Grants of those Colonies do give the ordinary power of the Militia to the respective Governments thereof, But that their Majesties may constitute a Chief Commander, who may have authority at all times to Command or order such proporcôn of the forces of each Colony or Plantacôn as their Ma^ties^ shall think fitt and further in time of Invasion and approach of the Enemy, with the advice and assistance of the Governors of the Colonies to conduct and command the rest of the forces for the preservation of each of those Colonies as shall most stand in need thereof, not leaving the rest unprovided with a competent force for their defence and safety. Their Lordships upon the whole matter agree to offer their opinion to his Majesty that suitable directions be sent to Col. Fletcher or the Governor of New York for the time being, and to the Government of Connecticut Colony.

And that the quotas of men, not excceeding one hundred and twenty, be the measure of the assistance to be given by the Colony of Connecticut and at all times during the warr to be commanded by the Governor of New York accordingly.

And their Lóps proceeding to consider the scheme transmitted by Coll. Fletcher of the several quotas to be furnished by the rest of the Colonies to the assistance of New York, agree the measure of assistance to be given by those Colonies respectively, be a Quota not exceeding Forty Eight men from the Colony of Rhode Island & Providence Plantations, 350 men from the Province of the Massachusetts Bay, Two hundred and forty men from Virginia, one hundred and sixty men from Maryland, and Eighty men from Pensilvania, Colonel Fletcher having already a commission for the command of 700 men from New Jersey, for the assistance of New York, as there might be occasion.

All which their Lordshipps will represent to His Majesty at a fitting occasion.

Petition of the Colony of Connecticut to the King.

[New-York Entries, III. 109.]

To the KING'S MOST EXCELLENT MAJESTY

The humble Petition of your Majts Royall and dutyfull Subjects the Governr and Company of the English Colony of Connecticut in New England in America prsented by Major Genll John Winthrop Esq: their Agent in that behalf lawfully authorized.

Sheweth

That your Petrs by Letters Patent of the late King Charles the second under the Great Seal of England in the fourteenth year of his Reign, were Incorporated by the name of the Governr and Company of the English Colony of Connecticutt in New England in America, And by severall Constitutions and Powers specified in the said Letters Patents had granted to them as well the civill Administration of the affairs as of the Lieutenancy and Power of ordering, arraying, modelling & conducting the Militia of the said Colony, for the speciall defence and Security of the same.

That your Petrs from the date of the said Grant untill the month of October last have enjoyed the said libertys and Priviledges without forfeiture or Molestation therein (Except a little interruption they received upon the Generall impeachment of the English liberties towards the latter end of the Reign of the late King James the second) to the great increase and comfort of the Inhabitants of the said Colony, and the defence and security of your Majests neighbouring Provinces.

That Benjamin Fletcher Esqre the present Governr of your Majts Province of New York in said month of October last, by Colour of your Majesties Commission whereby (for the uniting the forces of the said Colony against the Common Enemy) he was created your Majests Commander in Cheif of the Militia of the said Colony, did demand of your Petitioners not only to submitt to him a Lieutenant Generall and Commander in Cheif over the full Quota of the Militia of that Colony in conjunction with those of the Province of New York and the other adjacent Governments (which your Petitioners were always ready to doe and to send their said Quota when and wherever Commanded by him) but likewise that yor Petitr should surrender to him the Particular Lieutenancy of the said Colony of Connecticutt and their power of assessing, Modelling, and Establishing the Militia thereof granted to them by the said Charter, threat[n]ing withall to enforce obedience to his said demands, to the great terrour and discouragement of the Inhabitants of your Majts said Colony

That the said Benjamin Fletcher hath likewise Endeavrd by severall artifices to insinuate himself into the Civill Government of the said Colony.

And such the proceedings of the said Benjamin Fletcher are repugnant to the before mentioned Grant of King Charles the second and the true Intention of your Majests said Comissn, (as your Petrs do in all humility humbly conceive) Your Petitioners therefore humbly pray that the said Comission may receive such explanation and restriction, and your Petitioners have such speady releif and order for quieting the said difference for the future as to your Majesty in your Royall Justice and wisdome shall seem most conducing to the prosperity of your Majts people and Interests in the said Colony of Connecticutt

And your Petrs as in duty bound shall ever Pray &c.

19 April 1694. J: WINTHROP

Order in Council upon the Petition from Connecticut.

[New-York Entries, III. 106.]

At the Court at Whitehall, the 19th of April, 1694.

PRESENT— The KING'S MOST EXCELLENT MAJTY in Councill

Ld Arch Bpp of Canterbury.	E. of Montague
Lord Keeper	E. of Scarborough
Lord President	Visct Sydney
Ld Privy Seal	Visct Falkland
Duke of Bolton	Ld Bp of London
Lord Steward	Ld Cornwallis
Lord Chamberlain	Ld Conningsby
Earl of Oxford	Sr Rt Howard
Earl of Shrewsbury	Mr Chancellr Exchequr
Earl of Bridgewater	Mr Secrry Trenchard
Earl of Bath	Sir Henry Goodrick
Earl of Rochester	Mr Russell

Mr Boscowen.

Order upon a Report of Mr. Attor: and Solicitr Genll relating to the Militia of Connecticutt.

A Petition having been presented to his Majty by Majr Generall Fitz John Wenthrop Agent for the English Colony of Connecticutt in New England in America, in behalf of the said Colony by the name of the Governr and Company of the English Colony of Cònecticutt in New England in America, setting forth that the Petr by Letters Patts under the Great Seal of England in the fourteenth year of the late King Charles the second were Incorporated by the name of the Governor and Company of the English Colony of Connecticutt in America, with Power as well for the Civill administration of affairs as the Lieutenancy for ordering, arraying modelling and Conducting the Militia for the Speciall defence of the Colony, That from the date of the said Grant untill the month of October last, they have Enjoyed the said liberties and Privilidges without forfeiture or Molestation, Except some Interrupn they received in the Reign of King James ye Second, That Coll: Fletcher Governor of New York in October last by colour of His Majesties Còmission whereby for the uniting the Forces of the sd Province and Colony he was created Commander in Cheif of the Militia of the said Colony, and did demand of the Petitioner not only to submitt to him as Lieutenant Generall and Commander in Cheif over the full Quota of the Militia of that Colony in conjunction with those of New York and the adjacent Governments, But likewise the particular Lieutenancy of the said Colony and the Power of assessing Modelling and Establishing the Militia thereof. The Petitioner therefore humbly praying the said Commission may receive such Explanation and restriction as to his Majty in his Royall Justice and Wisdome shall seem meet; and his Majty having been pleased to Referr the said petition to the Right Honble the Lords of the Committee of Trade and Plantations to consider the matter of the said Petition and to Report what they conceive fit for, his Majty to do therein And the Lords of the Còmittee having received the Report of their Majts Attorney Generall and Solicitor Generall upon the matter of the said Petition, together with the Address of the Colony of Rhode Island and touching the uniting the strength of those Colonies against the French, which Report is in the words following.

May it please your Lo^{pps}

Report Attorny & Solicitor Generall

In obedience to your Lordships Commands Signified to us by M^{r} Blathwayt the second of January and the third of February last, by which wee were to consider the severall Charters of Connecticutt and Rhode Island, and the Grants of East and West New Jersey and to report our opinion upon the whole matt^{r} what may be done for the uniting the Strength of those Colonies and New York under a Cheif Cómander to be Commissionated by their Maj^{ts} for the defence of their Maj^{ts} subjects in those Parts against the French, and also to consider the annexed copy of the Petition of the Governor and Company of Cónecticutt and to Report our opinion thereupon,

We have considered the matters to us referr'd, and do find that King Charles the second by his Charter dated the 23^{d} of April in the fourteenth year of his Reign did incorporate John Winthrop and severall other Persons therein named, and all others who then were or after should be admitted and made free of the Company to be a Corporation by the name of the Gov^{r} and Company of the English Colony in Connecticutt in New England in America, with such Powers, Priviledges, and Capacities as are usually Granted to Corporations of like nature, and to have continuance and succession for ever, and therein the Bounds of the Colony are described, and a Grant thereby made to the Corporation of all land and soyle, Ground, Havens Ports, Jurisdictions Royalties, Priviledges, Franchises, and hereditaments within the same or thereto belonging. To be holden to the Corporation and their Successors in trust for the benefit of themselves and their associates free men of that Colony their Heirs and Assignes of the Kings of England as of their Mannor of E. Greenwich by the fifth Part of the Oar of Gold and Silver then found with Power to the Corporation to make Laws, Elect Governours Deputy Governors and Assistants, Erect Judicatures and Courts and chuse officers for the Civill Government, and thereby also Power is granted to the Cheif Commanders Governors and officers of the Company and others Inhabiting there by their leave or direction for their Speciall defence and Safety to assemble, Martiall, array and put in Warlike posture the Inhabitants of the Colony, and to Comission such Persons as they should think fitt to lead and conduct the Inhabitants and to Encounter resist kill and slay all that should attempt or enterprise the Invasion or annoyance of the Inhabitants or Plantations, and to Exercise Martial Law and take and surprise the Invaders or attempters of the Plantation or hurt the Company and Inhabitants and on just occasion to invade and destroy the nations or other Enemies of the Colony.

Wee also find that King Charles the Second in the fifteenth year of his Reign, did Incorporate divers persons by name, and such others as then were or after should be admitted and free of the Company by the name of the Governor and Company of the English Colony of Rhode Island and Providence Plantations in New England in America, and granted them in Effect the like Powers and authorities both Civill and Military as are before mentioned to be granted to Connecticutt.

We find that the Civill Governments in those Plantations or Colonies Executed the Military Pow^{rs} conferred by the Charters But that their Maj^{ts} in the third year of their Reign by their Commission constituted S^{r} William Phips L^{t} and Commander in Cheif of the Militia and of the Forces by sea and land within the colonies of Connecticutt, Rhode Island, Providence Plantations, King's Province, and Province of New Hampshire, and all Forts and Places of Strength in the same, with severall Powers and Authorities and that their Maj^{ts} by their Cómission under the Great Seal dated the Tenth of June 1693 revoked so much of S^{r} William

Phips's Cômission and Powers related to the Colony of Connecticutt, and by the same Commission constituted Benjamin Fletcher Esq^{r} their Maj^{ts} Captain Generall and Commander in Cheif of New York Pensilvania New Castle and the Territories and Tracts of Land depending thereupon to [be] the Commander in Cheif of the Militia and of all Forts and Places of Strength within the same, with Power to Levy, Arme, Muster, Command and Employ the Militia of the said Colony, and upon any necessary and Urgent occasion during this Warr, to Transferr to the Province of New York and Frontiers of the same for resisting and withstanding Enemys Pyratts and Rebells both at Land and Sea and defence of that Province and Colony of which Commission and the large Powers therein contained as to the Colony of Coñecticutt by their añex'd Petition do complain and pray redress against the Exercise in such manner over the whole Militia and therein shew their reasons against it

Wee have heard Coll: Winthrop and his Councill on the behalf of the Colony of Connecticutt and M^{r} Almey and his Councill on the behalf of Rhode Island and Providence Plantation and D^{r} Cox appeared on the behalf of East and West New Jersey and produce some writings shewing how the same were granted out from the Crown to the Duke of York, and by the Duke of York to others, but the Doct^{r} not Clayming any title to himself, it doth not appear to us in whom the Estate of Law of those Places or of the Government thereof Civill or Military doth now reside, nor how the same is Exercised.

But having received the annex'd Estimate from M^{r} Blathwayt, we Cômunicated the same to the Agents for Connecticutt Rhode Island and Providence Plantation, who declared their readiness during times of danger, to provide their respective Quota's therein Contained, and in cases of Encrease of danger or other necessary Occasions during the continuance thereof their respective Quotas to be proportionably encreased with other Colonies, But as to the remaiñg Militia beyond the Quota's (which it seems in those Countrys consists of all males between sixteen and sixty years of age) they humbly desire that it may remain under the Ordinary and usuall Gov^{r}m^{ts} and command of the Colonies according to their Charters, And [not] to be commanded out unless in times of actuall Inversion or Eminent danger for the Security and necessary preservation of some of the Colonies, and at such times only when such of the Colonies where out the Forces shall be drawn are not in danger and that at all times a sufficient Power of the Militia may be always kept in each Colony under the direction of the Goverment of it for the safety and necessary preservation thereof.

We are humbly of opinion that the Char^{rs} and Grants of those Colonies do give the Ordinary Power of the Militia to the respective Governments thereof, But do also conceive that their Majesties may constitute a Cheif Commander, who may have authority at all times to Command or order such proportion of the Forces of each Colony or Plantation as their Maj^{ts} shall think fitt, And forther in lines [times] of Invasion and approach of the Enemy with y^{e} advice and assistance of the Governors of the Colonies to Conduct and Command the rest of the Forces for the preservation and defence of such of those Colonies as shall most stand in need thereof not leaving the rest unprovided of a competent force for their defence and safety, But in time of peace and when the danger is over, the Militia within each of the said Provinces ought as we humbly conceive to be under the Government and disposition of the respective Governors of the Colonies according to their Charters.

All which nevertheless is most humbly
submitted to your Lo^{ps} great wisdome.

2^{d} April 1694. EDWARD WARD,
THOMAS TREVER.

And the Lords of the Committee having Presented to his Majᵗʸ in Councill the Report of Mʳ Attorney and Solicitor General upon the matters above mentioned, His Majᵗʸ in Council is pleased to approve the sᵈ Report, and to signify his Pleasure that the Quota not Exceed'g one hundred and twenty men be the measure of the assistance to be given by the Colony of Connecticutt, and at all times during the War to be commanded by the Goverʳ of New York, and the Rᵗ Honᵇˡᵉ Sʳ John Trenchard his Majᵗˢ Principall Secretary of State, is to prepare Lettʳˢ for His Majᵗˢ Royall Signature for the signification of His Majᵗˢ Pleasure herein to the Governor of New York and Connecticutt accordingly

WILLIAM BRIDGEMAN.

To the Right Honᵇˡᵉ the Lords of the Cômittee of Trade and Plantations:

Majr Genl Winthrops Memor'll in behalf of the Colony of Connecticutt.

Majʳ Generall Winthrop humbly prays your Lordships in behalf of their Majᵗˢ Colony in Connecticutt that the Govʳ of New York may have order in the Execution of their Majᵗˢ Commands Concerning that Colony, not to draw out more of the Quota appointed for the Colony of Connecticutt then in proportion wᵗʰ that wᶜʰ at the same time he shall draw out of the other Colonys or Provinces, Vizᵗ Boston, Rhode Island, New York, Pensilvania, East and West Jersey, Virginia, and Maryland.

It is also humbly prayed that it may be incerted in their Majesties Letter to the Govʳ of Connecticutt, Their Majᵗˢ Royall approbation of their Civill administrations which will be an Extraordinary Grace and favʳ to their Majᵗˢ good Subjects in that Colony.

MEMDᵐ the 15ᵗʰ May, 1694.

Upon reading Majʳ Generall Winthrop's Memoriall, Their Lordships agree that a Clause be Inserted in the Letters to be prepared by Mʳ Secretary Trenchard for the Queen's Signature accordingly.

The Queen to Governor Fletcher about Connecticut.

[New-York Entries, III. 147.]

M. R.

Trusty and Wellbeloved Wee greet you well having received the humble Petition of Our Colony of Connecticutt in New England, Praying that our Comissⁿ unto our Governor or Commander in Cheif of our Province of New York for the command of the Militia of our said Colony may receive such Explanation and restriction as in Our Royall Justice and wisdome Wee shall think fitt, Wee have referr'd the consideration of the said Petition to the Lords of our Privy Councill appointed a Cômittee of Trade and Forreign Plantations who having consulted our Attorney and Solicitor Generall what may be legally done by Us for uniting the Strength of Our said Colony of Conecticutt and the adjacent Colonies for the defence and Security of Our subjects in those parts agˢᵗ the French and having presented to Us the opinion of Our Attorney and Solicitor Generall that we may Constitute a Cheif Commander with authority to Cômand or order such Proportion of the Forces of each Colony as we shall think fitt; and further, in time of Invasion and approach of the Enemy, with the advice and

assistance of the Govrnors of the Colonies to Conduct and Command the rest of the Forces for the Preservation and defence of such of Our said Colonies as shall most stand in need thereof, as by Our Order in Councill dated the 19th of April last upon the Report of our Attorney and Solicitor Genll in this matter, which order or a Duplicate thereof you will herewith receive, is more at large Sett forth. Our Will and Pleasure is, that in the Execution of the Powers of your said Commission for the Command of the Militia of our Colony of Connecticutt, you do not take upon you any more than in time of War, to Command a Quota or part of the Militia of Our said Colony of Connecticutt, not Exceeding the number of one hundred and twenty men, Which we have thought fitt to signify our Pleasure to the Governor and Majistrates of Our Colony of Connecticutt to be the measure of the assistance to be given by Our Colony; And you are not to command or draw out any more of the said Quota of the Militia of our said Colony of Conecticutt than you shall in Proportion command or draw out from the respective Militias of the adjacent Colonies Except in case of eminent danger of an Invasion of the Enemy, In which case Our Will and Pleasure is, that with the advice of the Governor of Our said Colony of Connecticutt, you Conduct and Command the rest of the Forces of that Our Colony for the Preservation of Our said Colony, or of such other of Our Adjacent Colonies as shall most stand in need thereof, you taking care that you do not leave Our said Colony of Coñecticutt unprovided of a Competent force for the defence and safety thereof. And we not doubting of the ready and chearfull obedience of Our good Subjects in Our Colony of Connecticutt to Our Royall determination in a matter wherein the Security and Preservation of all Our good Subjects within Our said Colony and the Parts adjacent is so much Concerned, We have signified Our Pleasure to the Governor and Majistrates of Our Colony, that as occasion shall require they give obedience to Our said Commission and the Powers and Authorities thereof, to be Executed in such manner as herein directed, And so We bid you heartily farewell, Given at Our Court at Whitehall this twenty-first day of June 1694 In the Sixth year of Our Reign.

By Her Majts Command

JOHN TRENCHARD.

Order in Council relative to the Quotas which the other Colonies are to furnish New-York.

[New-York Entries, III. 178.]

At the Court at Whitehall the 2d of August 1694.

PRESENT, &c.

The Right Honble the Lords of the Committee of Trade and Plantations having this day represented at the Board that by a Letter from Collonel Fletcher Govr in Cheif of New York dated the ninth day of October last their Lordships are informed that not wthstanding the signification of their Majesties Pleasure to the severall Colonies and Provinces of New England Maryland and Pensilvania the 11th of October 1692, to aid and assist him for the Security of that province against the French and to agree of a Quota of men or other

assistance to [be] given by each Colony or Province for the defence of New-York as occasion may requïre the same, some of the Governments afore mentioned having omitted to send Commissioners to assist the Quotas to be furnished by them respectively nothing had been done therein and upon considering the Scheme of the Severall Quotas proposed by Coll: Fletcher to be furnished by those Plantations Whereupon the Measure of the assistance to be given by the Colony of Connecticutt and Province of Pensilvania has already been agreed upon by their Lordships and her Majesties Pleasure thereupon Signified in relation to the Quotas of Connecticutt the Committee having this day moved at the Board that the Governor of Virginia, Maryland, and the Massachusetts Bay, may receive the directions for supplying the Respective Quotas hereunder meñconed as the measure of the assistance to be given by these Plantations respectively in like manner as the same has been Ordrd to be given by the Governor of Connecticutt, and that the Governor of New York be ordered to Command the same Accordingly. It is this day ordered in Councill, that a Quota not Exceeding three hundred and fifty men to be furnished by the Province of Massachusetts Bay, a Quota not exceeding two hundred and fifty men to be furnish'd by the Colony of Virginia, a Quota not Exceeding One hundred and sixty men to be furnisht by the Province of Maryland be the measure of the assistance to be given by these Plantations respectively for the Security of the Province of New York, and S^{r} John Trenchard Kn^{t} their Maj^{ts} Principal Secretary of State, is desired to prepare Letters for Her Maj^{ts} Royall Signature Declaring Her Maj^{ts} pleasure to the respective Gov^{rs} Massachusetts Bay, New York, Virginia, and Maryland accordingly.

Report of the Lords of Trade upon Mr. William Penn's Petition.

[New-York Entries, III. 134.]

At the Committee of Trade and Plantations at the Council Chamb^{r} at Whitehall the 1 & 3^{d} of August 1694.

The Lords of the Committee having had under consideration two Reports of M^{r} Attorney & Solicitor Generall touching M^{r} Pens Right to the Province of Pensilvania, and the countrey of New Castle with the Territories and Tracts of Land depending thereon in America, and of Collonel Fletchers Cõmission for the Governm^{ts} of that Province and Countrey, which Matters are referred to their Lordships by Order in Councill of the 12th of July last, And M^{r} Attorney and M^{r} Solicitor having by their said Reports represented their opinion that by Letters Patents under the Great Seal bearing date in the thirty-third year of the late King Charles the second, the Province of Pensilvania with y^{e} Government thereof was granted to the Petition^{r} and that by two other Grants from his then Royall Highness the Duke of York in the year 1682, the Countrey of New Castle with other Lands upon Delaware River and Bay are also Granted unto him, But that the Government thereby Grant^{d} unto M^{r} Pen, was subject never the less to their Maj^{ts} Soveraignty over the same, by virtue of which Soveraignty in Case of Extraordinary Exigencies happning or arrising through the default or neglect of the Pet^{r} or of those appointed by him to protect or defend the said Province or the Inhabitants in times of War or Eminent danger their Majes^{ts} may constitute a Govern^{r} for the Preservation of the said Province and of their Majes^{ts} subjects there, that upon the reasons and grounds mentioned

in Collonel Fletchers Cômission, Their Majᵗˢ might lawfully Grant such Commission, But when those reasons and Grounds do fail or cease, the right of Government doth belong to the Petition[er], and the Committee being attended by Mʳ Pen, who having declared to their Loᵖˢ that if her Majᵗʸ shall be graciously pleased to restore him to his Propriety according to the said Grants, he intends with all Co[n]venient speed to repair thither, and take care of the Government and Provide for the Safety and Security thereof all that in him lies. And to that end he will carefully transmitt to the Councill and Assembly there, all such orders as shall be given by her Majᵗʸ in that behalf, and he doubts not but that they will at all times dutyfully comply with and Yield Obedience thereunto, and to all such Orders and directions as their Majᵗˢ shall from time to time think fitt to send, for the supplying such Quota of Men or the defraying their part of the charges as their Majᵗˢ shall think necessary for the safety and preservation of their Majesᵗˢ Dominions in that part of America. That he will appoint the same person to be his Deputy Governʳ that is now Commissionated by Collonel Fletcher to that post, And if the Government there shall not take due care that such Orders as their Majesᵗˢ shall think fitt to give as aforesaid be duly complyed with He will then submitt the direction of the Military to their Majᵗˢ Pleasure, Mʳ Pen having also by writing under his hand declared his agreement, that such of the Laws past in the Generall Assembly of Pensilvania in May 1693, by Vertue of their Majesties Cômission to Coll: Fletcher as shall not now be confirmed nor rejected by her Majesᵗʸ, shall have the full force and Vertue of Laws and be putt in Execution there, untill the same shall be altered or revoked by the Assembly.

And having further declared that he is willing to subscribe the declaration of Fidelity to their Majesᵗˢ mentioned in the Act of Parliamᵗ Entituled an Act Exempting their Majᵗˢ Protestant Subjects dissenting from the Church of England, from the Penalties of Certain Laws with a saving to Mʳ Pens Principle of not Swearing or using the word before God, And the Cômittee taking notice that the Assembly of Pensilvania have by An Act past there Exprest their humble Submission to their Majestyes Pleasure for the taking the said Provinces and Countries into their hands, and for supplying the absence of the Propietors by sending a Person to preserve and Confirm the Inhabitants in their Rights and Liberties, and as a dutyfull acknowledgement of their Majᵗˢ care and tender regard herein, have humbly presented to their Majᵗˢ an Assessmᵗ of Money upon all Estates within the said Province and Countries for the support of their Majᵗˢ said Government, Their Lordsᵖˢ agree to recomend Mʳ Pen to Her Majᵗˢ favour, that he may be restored to the administration of the Govʳment of the Province of Pensilvania Countrey of New Castle and Territories and Tracts of Land depending thereon in America, to be held and enjoyed by him in like Manner as he held and Enjoyed the same before the date of Collonel Fletchers said Commission, and that so much of Coll: Fletchers said Commission as relates thereunto may be revoked, with directions nevertheless that upon the Application of the Govʳ or Commander in Cheif of New York for the time being, a Quota not exceeding Eighty men or the value of the Charge thereof be forthwith sent from the Province of Pensilvania to New York as the Measure of the Assistance, Their Lordships are humbly of opinion may be reasonably given by the Province of Pensilvania towards the safety and preservation of the Province New York as occasion shall require the same, And that Mʳ Pen do forthwith take care, that due Provision be made at the Public charge of the Province of Pensilvania for the furnishing such assistance as shall accordingly be from time to time demanded or required by the Goverʳ or Commander in Cheif of New York, who is never the less to be directed not to require at any time [a greater part] of the said Quota or the value thereof to be furnished by the Province of Pensilvania than he shall in Proportion require from the adjacent Colonies respectively.

Revocation of Colonel Fletcher's Commission as Governor of Pennsylvania.

[New-York Entries, III. 152.]

William and Mary by the Grace of God King and Queen of England Scotland France and Ireland Defenders of the faith, &c, Whereas upon Information that by reason of Great miscarriages in the Government of our Province of Pensilvania in America, And the absence of the Proprietor the same was fallen into disorder and Confusion, By means thereof not only the Publick Peace and Administration of Justice was broken and violated, but there was also Great want of Provisions for the Guard and defence of Our said Province against our Enemies, Whereby it was apprehended that Our said Province and the adjacent Colonies were much in danger of being lost from the Crown of England, for prevention thereof as much as in us lay and for the better defence and Security of Our Subjects Inhabiting those Parts during this time of War, We did find it absolutely necessary to take the Government thereof into Our hands, and under Our Imediate care and Protection, and did there upon by letters Patents, under Our Great Seal of England bearing date the twenty-first day of October in the fourth year of Our Reign, Constitute and appoint Our trusty and Welbeloved Benjamin Fletcher Esq: Our Captain Generall and Governor in Cheif of Our Province of New York to be Our Captn Generall and Governor in Cheif in and Over Our sd Province of Pensilvania and Countrey of New Castle, and all the Territories and Tracts of Land depending thereon in America, with directions to take the said Province and Countrey under his command and Government, And did thereby Grant unto the said Benjamin Fletcher, and in case of his Death or Absence out of our Provinces of New York and Pensilvania Our Country of New Castle and Our Colonies of East and West New Jersey, unto such Person as should be appointed by Us to be Commander in Cheif of Our said Province of New York or to Our Councill of Our said Province the like Powers and Authorities as were granted by Our Commission to the said Benjamin Fletcher bearing date the Eighteenth Day of March in ye said Fourth Year of Our Reign, for the Ruling and Governing of Our said Province of New York, and whereas humble application has been made unto Us by Our trusty and Welbeloved William Penn Proprietor of Our said Province of Pensilvania that he may be restored to the Administration of the Government thereof as formerly, And whereas the said Proprietor has given Us good assurance that he will take care of the Government of Our said Province and Territories and Provide for the safety and security thereof all that in him lyes, Wee have thereupon thought fitt to restore him to the full administration of the Government of Our said Province and Territories, and accordingly Our Will and Pleasure is that so much of Our said Commission bearing date the twenty-first day of October in the Fourth Year of Our Reign as does Constitute and appoint Our Trusty and Welbeloved Benjamin Fletcher Esqr to be Our Captn Genll and Governor in Cheif of Our said Province of Pensilvania, Countrey of New Castle and the Territories and Tracts of Land Depending thereon in America, together with all the Powers and Authorities thereby Granted for the Ruling and Governing of Our said Province and Countrey, do from the Publication of these Our Letters Patents cease Determine and become Void, and are accordingly declared Void, of which all Persons whom it may concern are to take notice and govern themselves accordingly, under pain of Our highest displeasure.

Memdm This Commission past the Great Seal the 20th of August 1694.

The Queen to the Governor of New-York.

[New-York Entries, III. 142.]

Trusty and Welbeloved We greet you well, Whereas upon the Petition and application of Our trusty and Welbeloved William Pen Esq^{r} humbly Praying that he may be restored to the Administration of the Government of Our Province of Pensilvania Countrey of New Castle and the Territories depending thereon, where of he is Proprietor in America, and upon the good Assurance he has given unto Us that he will take care of the Government of Our said Province and Countrey, and Provide for the Safety and Security thereof all that in him lies, We have been Graciously pleased to restore him to the Administration of the Government of our said Province and Countrey, and for that purpose to revoke so much of our Cômission to you beârg date the twenty-first day of October 1692, Whereby you are appointed Our Capt^{n} Gener^{ll} and Governor in Cheif of Our said Province Countrey, and Territories, We have thought fit hereby to signify the same unto you to the end you may Yeild all due Obedience to Our Royall Pleasure herein, And Whereas it hath been represented unto Us that not wthstanding the signification of Our Pleasure to Our Severall Provinces and Colonies in the Northern parts of America the 11th day of October 1692, that they be aiding and assisting to you for the defence and Security of Our Province of the New York against the attempts of Our Enemies, and to agree upon a Quota of men or other assistance to be given by each of Our said Provinces and Colonies for the defence and Security of Our said Province of New York, Some of Our said Provinces or Colonies having omitt^{d} to send Commissioners to adjust the Quotas to be furnished by them respectively, nothing hath been done therein. We having already Signified Our Pleasure to Our Colony of Connecticutt in relation to the assistance to be given by Our said Colony, We have further thought fitt to signify Our Will and Pleasure to the said William Pen, and to Our severall Provinces and Colonies of the Massachusetts Bay, Virginia, Maryland, and Rhode Island, that a Quota not exceeding Eighty men with their Officers, or the Value of the charges of maintaining the same by our said Province of Pensilvania, three hundred and fifty men of the Militia of our Province of the Massachusetts Bay, one hundred and sixty men of our Province of Maryland, two hundred and forty men of Our Colony of Rhode Island and Providence Plantation be the Measure of assistance to be given by our said Provinces and Colonies respectively for the defence and Security of our said Province of New-York, Which said Quotas of men or other assistance, We have required and Commanded the said William Pen, together with Our Gover^{r} or Commander in Cheif of our said Provinces and Colonies respectively upon your application to provide and send to be [under] your command and direction for your assistance in the defence of our said Province of New York, And for as much, as we are given to understand that there is no Establish^{d} Militia within Our Province of Pensilvania and Country of New Castle, We have further charged and required the said William Pen to give order that due Provision be forth with made as the Publick charge of our said Province and Countrey for the said assistance to be given to you by our said Province of Pensilvania and Countrey of New Castle at such times as you shall find it necessary for our service and the security of our Province of New-York to demand and require the same, But our Express Will and Pleasure is, And We do hereby Strictly charge and Command you, not to demand or require at any time a greater part of any of the said Quotas or other assistance from any of Our said Provinces or Colonies than you shall in proportion demand or require of the rest of Our said Provinces or Colonies respectively, We

not doubting of their ready and Chearfully Obedience to our Royal Pleasure in a matter wherein the Security and Preservation as well of all Our Good Subjects Inhabiting those parts of America, as of our subjects within our Province of New York is so much concerned, And so We bid you farewell. Given at Our Court at Whitehall the 21st day of August 1694, In the sixth year of our Reign.

By Her Majts command
J. Trenchard.

Governor Fletcher to the Lords of the Admiralty.

[New-York Papers, IV. B. A. 52.]

New York 19th Novr 1694

May it please your Lordships

Pursuant to my duty I do acquaint your Lordships, that their Majesties Ship the Richmond that attends here at great charge, is of little service in conveying our Navigation more than three months in the year (to witt) May, June and July, which is the time the Privateers infest this Coast. It is difficult to ly upon this coast the other months of the year by reason of abundance of ice and the North West winds.

The trade of this place to the West Indies has much declined, our merchants fall upon new invention to trade to Newfoundland if the King's Ship were permitted to convey our vessells thither she may be back time enough to prevent the danger of any privateer upon this Coast, may do some Service that way against the Enemy, here are some small vessells of force that sail well and can assist upon occasion.

By my Commission for the Government of New York their Majests impower me to erect Courts of Admirality and appt officers pursuant to such Cômission as I shall receive from the Admiralty, the Cômission I have received from your Lordships, restrains me from appointing a Judge Register and Marrischall who are the principle Officers of the Court.

Nothing yet has happened here during my administration but sometime a small matter may fall in the way, and it not being worth any mans while to go to the charge of suing out a Commission for those places, nothing can be done warrantably.

I am informed hitherto this as well as other Provinces in America, have adventured to hold Courts of Admiralty, not only without any Cômission from the Admiralty, but Contrary to that reservat . . . which I can not think warrantable and is a lessning of Authority.

I therefore humbly beg your Lops that I may be impowered to appoint a Judge Register & Marraschall of the Admiralty for this Province and the dependency meñconed in my Commission, I shall always be ready and very carefull to observe your Lordships dirrections and commands therein, and in all other things as becometh

May it please your Loppps

Lords of the Admlty — Your Lops most humble & obedient servant.

Ben Fletcher

Endorsed, 19 Nov. 1694
Copy of Côll Fletcher's letter to the Lods of the Admlty
B: A:
P: 52:

Governor Fletcher to the Lords of Trade.

[New-York Entries, III. 196.]

19 November 1694.

May it please your Lo^pps

As my Instructions direct I transmit to your Lordships the minutes of Council and Acts of Assembly passed in their Maj^ts Province of New York with an Inventory of the Arms ammunition and Stores of War remaining in their Majes^ts Garrisons under my care which I shall husband to the best advantage for their Majesties Service. I humbly beg your Lordships to consider it is a time of Warr and I am under an indespensable necessity not only to supply the Companyes of Granadeers on the English Establishment but all the Militia who are garrisoned on the Frontiers or that March upon any insult from the Enemy with the Indians who keep firm to the Covenant chain (as they call it)

An Indian lately returned from Canada whose imformation I send your Lordships tells me the New England Indians were with Count Frontinac at Mount Reall boasting their mighty Acts, and throwing a number of Scalps at his feet reproaching the other Indians for not producing the like testimony of their Valour against the People of Albany.

The Count carrassed them with presents and fine words and Imêdiatly Ordered One hundred and fifty to march against New England, of which I gave S^r William Phips notice.

He als Assured them he Would march personally against me which when he designes I beleive he will make it a Secrett

Some of our Indians having carried back to Canada Eight of the French whom they had formerly taken Prisoners Count Frontinac dismissed Eight of their Maj^ts Subjects two whereof belong to New England whose Examination I send to your Lo^ps

I have ordered the Inhabitants of Ulster to repair their fortifications and put themselve in order of defence and keep out scouts before I received intelligence of the design the Enemy hath against that place, and have sent them an Account thereof to urge their dilligce

Albany is in better circumstances than it ever yet was, I have caused it to be new Stockaded and furnished it with an addition of 20 Great guns, there is 200 men in Garrison besides Major Ingoldesby's Company of Granadiers, I have furnished them w^th powder partridge shott and round shott, and what else necessary for their defence so far as the Kings Stores here doth enable me.

I know 500 men is the least can be Expected to adjust the several posts but the Province being under great pressures having no assistance from their Neigh^rs it is impossible for me to gett that number.

I am endeavouring to send up One hundred men more but find great dificulty in it some leading men of Leislers party having got into the Assembly, who in that time voted for eighteen pence a day to each Soldier and levyed it upon the Countrey, and now will allow but eight pence cutting off four pence a day from what they had last year, which dispirits the men they choose to run rather than serve, Eight pence here is not five pence Sterl: and all things of Provisions & cloaths are three times dearer than in England.

I recomended to the Assembly the ruinous Condition of this Fort and the Lodgem^ts of the Soldiers of which they would take no notice.

I sent them the Kings letter for rebuilding the Chappell and desired them to consider of a good fund for the mounting the great guns his Majes^ts lately sent, they passed a Bill for four

hundred and fifty pounds New York money for the Chappell, and one hundred and fifty pounds for the Guns not payable this twelve months (a small sume) it shall be applyed the best way I can to these uses, I have desired two of the Councill to oversee the work receive and pay the money.

I am in hopes to preserve the Indians from starting to the French a present from the King and the appearance of the Companyes which I dayly expect will rivit them in their Allegiance, I have desired Mr Heathcott to attend your Lordships with a note of such things as I conceive may be most acceptable and not cost above £200. I find the Sachims so far influenced by my last treaty that they have not gone to Canada and left of corresponding with the French Governor upon an alarm lately given that the French were upon their March against Albany three hundred of the uppermost Nations came down to the Mohaques Castles to our Assistance.

I can obtain no Assistance from the adjacent Colonies except the Jerseys who have sent thirty men which is owing to the good affection of Coll: Hamilton their Govr But they are now making warr upon us in point of Trade having prohibited by Act of their Assembly, the transportation of Pipe staves, shingles, or Plank to New York, by which they will draw the Shipping thither and Establish a free port to the great prejudice of this place and sink the Trade of it, they pay no duty to the King and all will flock to it.

We already feel that of Pensilvania where they Trade at large under no regulation this being much nearer and upon the same River with us will utterly ruine the Revenue of this Province.

Pensilvania New Castle and the Jerseys were formerly part of this Government and now they wound it, My Commission for Pensilvania and the other for Connecticutt cannot cure the malady if they were all united again into one Government they will fall under the same Law duties and Services.

I most humbly beg your Lops that the Substance for the Companies here may be duly paid, and a yearly Supply of Stores sent over, I shall alway's endeavour to adjust my loyalty to their Majts and my duty to your Lordships I am

May it please your Lops

Your Lops most humble most

faithful & most obedient Servant

BENJ: FLETCHER

Major Ingoldesby to Governor Fletcher.

[New-York, (B. T.) V., A41.]

Albany Oct: the 18th 1694.

May it please yor Excell:

I received your Excellency's kind letter of the 4th instant for which I returne my most hearty acknowledgments. Since Mr Livingston left this towne there has been nothing of moment, but what I here inclosed send to yor Excell. The Governor of Canida threatens hard though I am of opinion he never designes to atacque this place, unless he is well informed how ill a condition we are in. I have mounted all the guns and made up the Stone Mount, and made a Magazeen under it, which is well arched. I hope it will be to your Excells satisfaction. I

desire your Excêll:, will be pleased to send up some more pouder and some partridge Shot, and a Water Lanthorn or any thing else which your Excêll. may think convenient for these garrisons; then we shall endeavour to give y^e^ French a wellcome if they come.

The 15^th^ instant hapened a sad accident to Henry Ransler, having his barne and barricks of corn burnt to the ground. The same hapened the last yeare about 14 dayes sooner. Likewise a fire att Schanechtady, which has burnt 1000 skipple of wheat. My wife and selfe desires our dutyes may be acceptable to your Excêll and my Lady, wishing your Excêll. all health and prosperity, which is the hearty desires and well wishes of him that will ever remain

Your Excêll: most humble
faithfull and obedient Servant
RICH: INGOLDESBY.

A true Copy
(signed) DAVID JAMISON.

Intelligence received from Schenectady.

[New-York, (B. T.) V., A42.]

Schanechtady 13^th^ Oct^r^ 1694.

There is an Indian Squae who hath been prisoner three years, and an Indian, come from Canida 24 days agoe, and arrived in the Praying Indians Castle, say, that some Cayouges have been with the Governour att Mont Royall, with some French prisoners; and presented them to the Governour in the presence of severall nations of Indians and say that they came to reject the ketle of warr. Whereupon the Governour of Canida replyed, I know not who has the power to doe that, for I give all my people the ax in their hands again.

Say, that there were many of the Praying Indians that would not take up the hatchet; they who would not take up the hatchett said to the Governour if wee take up the hatchett again, lett us goe and kill Cayenquiragoe, for the sooner the better then there is an end. Whereupon the Governour answered, not so hastly, we will doe it in y^e^ winter when there is ice. Whereupon the Praying Indians went out a hunting for 20 days. Say, that the Governour was resolved to come to fight the Onnondages this winter, but they had held him till now Say, the Onnondages had told the Governour of Canida that Cayenquiragoe thought to surprize him; and therefore would see and take 1 or 2 prisoners from hence before there comes ice, to hear how the matter is; that Wahawa is still alive.

A true Copy
(signed) DAVID JAMISON Cl Coñlij

Examination of Matthew Pawling and Nicholas Smith.

[New-York Papers, IV. B. A. 40.]

The Informâcon of Matthew Pawling and Nicholas Smith being examined by his Excéll. Benjamin Fletcher Capt: Gen^{ll} & Governour of New Yorke &^{c} at Fort William Henry the 10th day of Novemb^{r} 1694

His Excéll asked.

How long have you been in Canida

Answer. Pawling four years and about 5 months. Smith about three years.

Q: Where were you taken

Ans: In the Province of Wells in New England.

Q: How come you to be dismissed from Canida.

Ans: Some of the Indians of the five Nations brought home some French people who were prisoners in y^{e} Indian Country, whereupon Count Frontiniac dismissed eight of us, Six whereof belong to this Province he gave us this passe & 25 dayes provision Each, two of the eight tarryed in Canida for fear of the Indians & the danger of travelling the other four are at their homes in the Fronteers and we in our way home came to acquaint yo^{r} Excêll. of what we know of y^{e} Enemy mocôn & designes.

Q: What hath Count Frontiniac been doing att Mount Reall this Summer I perceive your passe is dated from Quebec.

Ans: He has been mustering all his forces & treating with all the Indians in allyance with him. we heard the Indians of New England were there alsoe & we saw some of the Prisoners were lately taken att Oyster river. — We heard he had sent out spyes to discover the Esopus Country below Albany who give account that the people are not vigilant & live scattering It was said there is a designe to march against the Mohaques & Esopus this winter, & they have their snow shoes in readynesse

Q: Heard you nothing of a peace concluded att Mount Reall between the Governour of Canida & the five Nations of Indians belonging to this Province.

Ans: We heard some of them come to make peace with Count Frontinac which he denyed unlesse they would engage to make warr against the English Colonies which they utterly refused yet notwithstanding were brought to Quebecq^{e} & treated very splendidly with firing all the Great gunns & many bombs & Granada Shells.

Q: What Shipping are att Quebecq^{e}

Ans: There are two shipps of warr this summer brought over 25 Great Gunns which are not yett mounted one ship of fourty gunns the oy^{r} 20 & 300 men between them who under the command of Deboraveille[1] are gone against the English factory in the North West passage it was said he has a grant of y^{e} profitts of that place for three years time if he take it, if he faile of it he is to cruise upon this coast.

Q: Was there any partyes sent any where this summer.

Ans: Wee heard a Party were sent towards New England with larg encouragements to distroy what they can.

Q: How is Quebecq fortifyed

[1] Mr. Le Moyne d' Iberville. — Ed.

Ans: By the water side there is platformes a stone brestwork very low will give litle shelter to their men the greatest has 12 gunns which will throw a ball of 30 pounds the fort stands very high in the upper town which is fortifyed to the land side by a wall made 16 foot thicknesse of brush faggotts & Earth Palisados laid on the outside & small sharp pointed stockados coming from the head of the palisados pointing outwards to p^r^vent running over the wall this wall is not yet finished but they have two ingineers come over this sommer & wee heard they intend to build a stone wall round the town. In the Fort & Town of Quebecq^e^ there one hundred & fourty gunns & not above three hundred inhabitants that can bear arms

Q: What prisoners did you leave behinde you.

Ans: 63 men women & children, there was a rumour that they would shortly be dismissed by way of France. Wee made choice to come over land to Albany: they were so civill to us to give us a small compase & a draft of the way.

Q: When did you sett out from Qubecq^e^

Ans: the 5^th^ of Octob: last.

November the 10^th^ 1694

Then Matthew Pauling & Nicholas Smith were sworne to the truth of the above answers by His Excêll: command

David Jamison Cl: Concilii.

Endorsed. Pauling & Smith informàcon concerning Canida & Quebeque given the 10^th^ of Novem^r^ 94
Rec^d^ 31 May 1695 from Col^l^ Fletcher
B: A:
P: 40:

Governor Fletcher's Certificate.

[New-York, (B. T.) V., A33.]

To the Right Hon^ble^ the Lords of the Comittee of Trade and Plantations.

May it please Your Lôps.

Whereas Coll: Abraham De Peyster and M^r^ Robert Livingston have by their peticôn presented unto me the 6^th^ of December 1694, Sett forth that in the year 1689. when Jacob Leisler had taken upon him the administracón of the governm^t^ of the Province of New Yorke under pretence of their Maties Service, was seized and forcibly carryed away from the comon store room for powder, in the city of New Yorke twenty five barrills of powder whereof fifteen barrills did belong unto Coll: Abraham De Peyster and ten barrills to M^r^ Livingston; which twenty five barrills of powder were remaining in the store room of their Mâtyes fort, at the arrivall of Coll: Henry Sloughter late Governo^r^ of the s^d^ Province, dec^d^. and are since disposed of for their Mâtyes service praying that they may have the same quantity of powder delivered to them out their Mâtyes store room in this Fort, or that I will recommend their case home to yo^r^ Lôps.

I doe hereby certify that I have examined the allegacôns of the s^d^ peticôners and finde them

to be true, but having under consideracón it is time of actuall warr, a great distance from England and that I have transmitted an accompt from time to time to yo^{r} Lóps. of all the stores of ammunicón in the Province, and there being a daily consumption of powder to supply the garrisons of New Yorke, Albany, Schenectady, Kingston, and other advance posts, also the Indians that are sent out upon partyes, I think it not convenient att present to diminish their Máties store in this Province by giving out the s^{d} quantity of powder to the peticóners; therefore humbly submitt their case to yo^{r} Lôps I am

Yo^{r} Lôps most humble, most
faithfull & most obedient Servant

N: Yorke Decemb^{r} 8th 1694. BEN: FLETCHER.

Governor Fletcher to the Lords of Trade.

[New-York Entries, III. 206.]

May the 29th 1695.

May it please your Lords^{pps}

Since my last conference with the Indians of the five Nations at Albany I find them wholy diverted from hearkening to the Government of Canada, who seems to have a working head and experiences as well as years, The French Count is much enraged thereat, and treatned hard to destroy their Castle at Onondage for breach of promise, and because they did not return to Canada to conclude the Peace he pretends they have made, he has sent two messengers this winter to that effect, I sent herewith a Copy of the Message with the result and answer of the five Nations thereupon soon after their answer came to Canada, Our Indians were alarmed with reports that the French and their Indians were on their March to destroy Onondage and resettle Cadaraquin which put the Sachims in some Consternation, and having wrote to me for assistance I presently supplyed them with Ammunition and Ordered three hundred men to march to their defence, the alarm proved false, but I have ordered them to keep strict watch.

The Indians diverted from the French.

He has supplyed them with ammunition and 300 men

The five Nations have lately sent down two of their greatest Sachims (the one their principall Orator the othere their greatest Warriour) to return me thanks and to desire my advice how to proceed in the war against Canada and have engaged to me follow my directions and pursue the warr with Vigour, I did make presents to them above the value of fifty pounds they seemed well satisfied and full of resolutions at parting, If his Majesty shall think fitt to order that small present for the Indian Kings which I mencóned in my last (a copy of the list is here inclosed) 'twould be a great encouragement to them, they are the greatest barrier we have against Encroachments of the French in Canada.

A small party of French near Albany.

Some small sculking party of French and Indians have lately killed an old man near Albany and carried away one or two prisoners

Coll: Sloughter's accts setled found in debt 130£.

The Councill of this Province have cleared accó^{ts} with M^{rs} Sloughter the late Governor Sloughter's Widd: who is found to be indebted the sum of One hundred and thirty pounds fifteen shillings seven pence three farthings New York money for the use of the two Companys, she supports herself in a Nationall opinion that your Lordship will

allow her 1000 pounds out of their Majesties Revenue of this Province which she alleages was given her husband by Act of Assembly intituled an Act to Enable his Excellency to defray the extraordinary charges of the Governments &c this Act (as I am informed) was made to Endemnify the Coll: for receiving the duties which were formerly esteemed the Kings Revenue in this Province before there was an Act of Assembly Authorizing the same and to order the application thereof towards defraying the charges which did accrue in the Government somtime before Governor Sloughter's arrivall and untill the passing of the said Act, the charges did far exceed the sume that was raised, if your Lordships do signify your pleasure in this matter 'twill be a favour to her, She tarryes in the Country to this end.

Upon the removall of Mr Dudley & Mr Pinhorne from the Council for non residence being by instructions tyed up from proceeding to business (except in case of absolute necessity) without a Quorum of five, some of the Councill being superanuated, others living remote in the Country and some often taken up in their private Vocations I found a necessity to call Mr Cab Heathcott to the Board who has been very Serviceable and forward upon all occasions and pursuant to my instructions I did transmitt an Account thereof by sundry vessells to your Lordships which Vessells happened to miscarry, I therefore again pray Your Lordships for a warrant for his confirmation.

Mr. Heathcott to be of the Councill.

Just now comes advice from Boston of the arrival of the two Companies of Grandiers there, I humbly beg your Lordsps the subsistance of the four Companies be punctually paid and an añuall Supply of Stores sen[t] over, I am obliged to furnish with amunition the Country Fusiliers upon the Frontiers and the Indians that are dayly sent out in partyes as well as the Companies upon the establmt of England.

An anual supply of Stores to be sent.

I have received intelligence likewise from Albany for a speedy design the French have either against Albany or Oynondage, I send a Copy thereof herewith for your Lordships Information, I have alwayes ordered affairs so as to be in continual readiness to oppose the Enemy wch hath been chargeable and burdensome to the Inhabitants of this Province whilst our Neighbrs have enjoyed a continued tract of protection and safty during the warr and have given very little assistance I am

Notice of a design upon Albany.

May it please Your Lops

Your Lops most humble faithful & most

obedient Servant.

Benjn Fletcher.

Message from the Governor of Canada to the Five Nations, and their Answer.

[New-York Papers, IV. B. A. 48.]

Cayenquiragô Govr of New York
Onontio Governor of Canida
Cannissoone 5 Nations
Canessedage } two forts in Canida
Cagnewage }
Onogungos Eastern Indians in N Engld
Ottowawas & Dionondades are Indians in amity wth the French.

Propositions made at Onnondage the 31th of January 169⅘ By two Praying Indians come from Canida one a Mohaqe called Tiurhadareio otherwise diakognorak'igl's the other an Oneyde called Jehanontsiesta sent from Onontio Governour of Canida

The Interpreter was adogeow the Great Oneyde Who began

The two Messenger's are sent from Onontio as Servants.

1st Onontio say's Children I wipe of the tear's from your Eyes & the blood of those that are sorrowfull in the house or Canossoené. Gives three fatham wampum.

2. Children I am told a great storme of winde makes your mindes weaver to and fro' retain no Evill thought's of me I am still Onontio the Good over the five Nations or Canossoené be not afaid of me then. Gives a belte

3. Children the Canossoene take notice wch I now let you know Oneydes I thanke you for your Good inclinations and the knowledg' you had in sending to me the father Milett with three or four French whom you had taken prisoners. I see yor wisdome is greate, Cayenquiragoé the Governor of New York' has don' the like' & I also to him, now my will is that you deliver unto me all the French Prisoners' great and small that you have in the Canossoone. Let me see them all in Canida in the Spring I am not Idle but take much care of the Prisoners of the Canossoone that are deteined by the Ottowawes and Dionondages I intend to Unite yor mind's in the Spring. Give a belt of wampum.

4. Children I do not doubte but you remember well what I proposed to you formerly but now I send for you who are the Sachims of the whole Canossoené to speake with me in Canida in the Spring. I will speake of good thing's be not jealous or fearfull of my ill intent I will sent a guard to meete you & convey you to Canida that wee may speake togither, bring my flesh the prisoners with you. Give a belt of Wampum.

The Indians hereupon gave four times the Shout saying Jo: Hue. Hue. Hogh.

Propositions made by the praying Indians of Canida' that lives in the fort's of Canessedage & Cagnawage.

1. Brethren & Countreymen hold wee pray & keep' strong and fast what Onontio now proposes to you. We pray you again' & again' Brethren. Give a Belt of Wampum.

2 Brethren the way shall be safe & wellcome in the Spring we will meet you half way in good cannoes & convey you safely. Give a belt of Wampum.

The Indians hereupon shout Jo. Hue. Jo. Hué.

After the Proposition were made the Messenger's say'd.

Wee Praying Indian's must now let you know' wt wee are bid to say.

1. Oneroaha bids' us tell you that Onontio will again put a garrison at Cadaracqui.

2. Adiejagthaa bid's us tell you that Onontio hath sent the Onogungos to New England to fighte & not to fetch beaver's this winter but scalp's.

3. Another Praying Indian bid us tell you that Father Milett told him Cayenquiragoé has sent to Onontio by the Prisoner's he sent back' Letter's of Great familiarity & concern' contriveing to ruine the Canossoene desireing Onontio to fall upon you & promiseing to withdraw from you ammunition

The Answer given the 4th of Feb. 169⅘ at Onondage by the five Nations.

Kaqueendara Speaker

You servant's & Mengeessrs of Onontio hearken well & remember well what wee now speake unto you.

Then takes up the three fatham of Wampum & touches one with his finger saying this wipes the tear's from our Eyes touching the other say's this washes away the blood.

Then putting them all three together sayd Throw away the bitter Gall out your body Onontio & clear up yor understanding. Give three fathem wampum.

Onontio you call us children you have begotten. What Father are you. You deale with us whom you call Children as with hogg's which are called home from the woods by Indian Corn & then put in Prisons untill they are killed thus you have dealt by us whom you call children you have sent for us often to Canida' & Cadaracqui & in our return our Indian's were either killed or taken Prisoner's. O Onontio you say wee must keep the firme covenant chaine which you have broake many times in time of Peace' how did Ogquesé endeavour with his Armey to fall upon our Brethren the Mohaqs twenty six years ago. Afterwards in time of peace you sent for our Sachims who wente and you by yor Indians in the way fell upon them & killed Eighte Some year's after you sent for us againe & in our return' your Indians the Dionondades fell upon us in the Lake' & killed many Wee threw all this into a deep Pit of oblivion, how have you dealt by our People at Cadaracqui, Oh yt smarts still. Remember wt you did to our Brethren the Senekes in time of a covenante & peace Remember wt you have done to our brethren in Schenectady, so soon you heard of Warr over the broad lake' you murthered & burnt all what was there both man & beaste notwithstanding about a month before you had sent Cajenhod an Oneyde into our Country with a deceitfull message & Letters to Milett O Onontio are you so' forgetfull that will not do' it is not many month's agoe since you were desired to be quiet from warr by Dekanitsoré as you desired us & now' wee are informed you have sent the Onongungos to fight against our brethren in New England that will not succeed Onontio it is true' Wee have invited father Millet to us & then made him Prisoner Wee likewise keepte Dionakarondé (or Chavaleer Deaux) when he came amongst but then it was Warr between you & us. Give a belte of Wampum

Onontio do' not thinke that our mindes doe waver to and fro as by a Storme of wind as you please to tell us & that yor heart is Good. O Onontio is yor heart and mind' Good why then do you send the Onogungos yor souldier's and servant's against our brethren in New Engld to kill them. Our hatchett is not grown' blunte you know very well our brethren & wee are one body therefore take the hatchett from the Onogunges. Give a belt of Wampum

Onontio you demand of us all the French prisoners great & small to be brought to Canida which wee will not grant untill you first send unto us & Cayenquiragoe our brother all the Prisoners you & thee Donondades have, send them & then wee will tell you wt wee will do. Give a belt of Wampum.

Onontio Wee will send no' Sachim from the Cannassoone to Canida nor any Prisoners, if you minde to speake with us send yo^{r} messengers to us send yo^{r} wise people the son of Ogquessé[1] Stawislawie & Orrasa[2] they can speake our Language very well, Send also our people who are yo^{r} prisoners belonging to us & our brethren send y^{m} to Onondagé. Give a belt of Wampum.

Onontio your fyre shall' burn' no' more at Cadaracqui it shall never be kindled again. You did steale that place from us & wee quenched the fyre with the blood of our children You thinke your selfes the ancient inhabitants of this countrey & longest in possession yea all the Christian Inhabitant's of New York & Cayenquiragoé thinke the same of themselves WeeWarriours are the firste & the ancient people & the greatest of You all, these part's and country's were inhabited and trodd upon by us the warriour's before any Christian[3] (then stamping hard with his foot upon the ground) sayd, Wee shall note suffer Cadaracqui to be inhabited againe. Onontio we Canossoené do' say we will never suffer you to kindle your fire at Cadaracqui I repeat this again & again. Give a belt of wampum.

The answer to the French praying Indians February 4th 169$\frac{4}{5}$.

The Speaker first gave three fathem wampum to wipe of the tears' and blood of those that were troubled.

Brethren & Countreymen deliver to Onontio all the Prisoners you have belonging to us & our Brother Cayenquiragoe & bring them to Onondage. Give a belt of wampum.

Brethren and Countrymen Give unto Onontio a portion of understanding & perswade him to demand all the prisoner's from the Ottawawa, & Dionondades & bring them hither to Onondagé Give a belt of Wampum.

The Canossoené send with the Messenger's two belts of Wampum to the Donondades in answer to their two belt's and red stones that they sent last year.

A true Copy. David Jamison Cl. Concilii.

Endorsed. Copy of a message from the Govern^{r} of Canida to the five Nations of Indians in New Yorke & their answer thereupon. Feb^{ry} 4th 169$\frac{4}{5}$

Côll Fletcher Rec^{d} 1st Aug^{t} 1695

B: A:

P: 48:

[1] The Indian name of Mr. le Moine; it signifies a Partridge. *Colden*, 107, note. — Ed.

[2] The Indian name of Mons. Hertel. *Original* in *New-York Colonial Manuscripts*, XL. — Ed.

[3] The Indian mode of expression is more closely preserved in the original record, in which the passage reads thus:

"You think those of the Cannossoene to be the Eldest in the Country and the greatest in possession. O noe. Yea, all the Asseroenis doe thinck ye same, Cayenquiragoe also. (Then the Speaker pointed with his finger upon me and said) Noe, O, noe, Wee Onqwes are the first and we are the eldest and the greatest. These parts and Contries ware Inhabited and trede upon by the Onqwes before there was any Asseroenie" *New-York Colonial Manuscripts*, XL. — Ed.

Intelligence received from Onondage.

[New-York Papers, IV., B. A., 49.]

An Abstract of Intelligence sent from Arnout Vielle from Onondage Feb. 18th 169⅘.

Yesterday arrived messengers from the Seneke's & Cayouges with two belts of Wampum to acquainte the Onondage's that Count Frontinac has sent a private message to them by Ohonsacktaddie one of their Nation with a great belt of Wampum to tell that he will fall upon the Onondages in the Spring & desire' the other four Nations to be sylente for which he gave two reason's, first Dekanissoré has broke his word in not returning to Canida. secondly Dekanssore has gon' to Albany to meete Cayenquiragoe, & has given defyance to all the strength of Canida & deny'd to observe any agreemente or proposall of his.

The whole five Nation's send seven hands Wampum, to inform' the Mahikanders or River Indians of this.

The Sachims complains much for want of Powder.

February 18° 169⅘.

The Sachims & Captaines have desired me to write to Cayenquiragoé as followeth.

Brother Cayenquiragoé

Wee expect the Enemy daily Lett us have powder & lead Wee do not go' on the other syde the lake to hunte, but keep watch lest the Enemy surprize us as soon' the weather is open wee will make our Castle stronger Wee desire you will discharg' the selling of rumm to any of our Nations Let our Indians have powder & lead instead of rum Let the Blacksmiths repair our armes for nothing.

Ho Cayenquiragoé Lett us live Lett us note want ammunition Wee have too small a bag for a beaver Give order that they be made somewt bigger then shall wee be satisfyed that all is Lyes Onontio hath sayd unto us & that you do not endeavour our ruine Let not our Enemyes rejoyce and laugh at us.

A true copy.

(signed) David Jamison Cl. Concilii

Onondage February 21th 169⅘ in the night.

Just now comes tidings by a Seneka Squaé who was taken prisoner by the Praying Indian's of Canida & runn away from them. She is a strong lusty weoman.

She says, That a Party consisting off the Dawaganhas, & French praying Indians are sett oute from Canada for Cadaracqui & that the French were to follow in three or four day's time. That she left them as they begunn their march. She believes they are already gott to Cadaracqui I have not yet learned of her how many day's it is since she left them.

That they are to rendevouz at Cadaracqui & from thence to come againste Onondage & the whole five Nations.

Caqueendara Decannissore & all the other Captains desire the assistance of three hundred Christians with as many River Indians & Mahikander's as can be gott togither saying, that now is the time for Cayenquiragoé, to perform' his promise in assisting us

A true Copy

(Signed) David Jamison Cl. Concilii.

(Endorsed) Copy Intelligence from Onondage Febr^{y} 18th & 21th 169$\frac{4}{5}$
Receđ 1st Aug^{t} 1695
from Côll Fletcher.
B: A:
P: 49:

Intelligence received from Albany.

[New-York Papers, IV., B. A., 50.]

On the 15. of May 169$\frac{6}{5}$ Saddageras a Sachim of the Praying Indians did arrive at Albany with seven hands of Wampum to acquaint Cayenquiragoé that Canaqualho a Mohogg of the uppermost Castle Last year went to hunte neer Canida haveing a desire to see his brother who was amongst the Canida Praying Indian's & on the sixth of January last brought his brother from Canida with him to the Countrey of our Indians that he heard them say the Governo^{r} of Canida has some great designe against Albany or, Onondage whereof she acquaints Cayenquiragoe & have sent intelligence to Onondage that the Brethren may upon their guard

Hee say's that they left behind them in Canida Canaqualho's relation to watch their motion & bring intelligence thereof.

On the 18 of May came Canaqualho to Albany & confirmes this intelligence & say further that six of the Dawaganhaes or far Indians have been at Canida to know if the Governo^{r} of Canida was inclined to make peace with the five Nation's & that the Governo^{r} of Canida did answer that he had said so' with his mouth but his heart was for warr the Dawaganhaes reply'd it is by your will wee make warr with the five nation's & therefore wee will conclude no' peace with them, then the Governo^{r} of Canida presented them with six barrells powder.

Hee say's moreover that when he left Canida one Onwondaquiro & Adawakto wth eighteen Canida Indian's were sent out by the Governour of Canida toward's Albany to take a Prisoner that hee may be informed w^{t} Cayenquiragoe does & if he designes to come against Quebeq^{e} by sea, that he was informed the Governo^{r} of Canida told the Dawaganhaes he was about to resettle Cadaracqui to be nearer to annoy the five Nation's and assist them. And that the Governo^{r} of Canida did also say to the Dawaganhaes true it was he did send for two men of each of the five Nation's & two from Cayenquiragoe & did pretend he designed to conclude a peace with them but if hee had gott them once in Canida he had either made them bend to all his proposalls or used them as they did Chevaleer Deaux.

A true Copy. David Jamison Cl. Concilii.

Endorsed. Copy Intelligence come to Albany May y^{e} 15th 1695
Rec^{d} 1 Aug 1695
from Coll Fletcher
B: A:
P: 50:

Reverend Mr. Dellius to Governor Fletcher.

[New-York Papers, B. A., 51.]

May it please yo^{r} Excell

Upon Tuesday the 20th last came to me an Indian named Joseph one of my proselites from Canida in thirteen days time the last fall he went from the Maquaes Castle to Onondage to assist at their meeting in the name of the Second Castle of the Maquaes to assist and consult upon the propositions the Indian messengers made there in the name of the Governor of Canida Our Indians perswaded this Joseph to go along to Canida with the messengers to see how affairs went there so soon as he came to Mount Reall he was very coldly received and was not permitted to speak with any body. the 2^{d} day after his arriveall he was sent to Quebeq^{e} where the Governour spoke very kind to him and said that he looked upon him as an enemy and a spy and if ever he came again he would put him to death the five nations having deluded him so many times that he would not hear of any offers of peace for he was certainly perswaded that the five Nations have made an indissoluble covenant with Cayenquiragoe and unlesse in in the space of two months there came two of every nation to comply with him he will undoubtedly fall upon them with an army all preparacôns being making thereto.

The said Joseph informs that the Governour of Canida had sent to the French Maquaes Indians to go out against this Government to bring in some prisoners to informe him of the affairs of these parts the Indians were unwilling to goe but by the persuasion of the Jesuits three small partys went out and two partys were returnd again before Joseph came away one party brought in three of my proselites taken at their hunting place the other party brought in that young man lately taken from Greenbush neere Albany being asked what news were at Albany he answered there was a great many old England soldiers arrived at Albany and after a few dayes a great many more were expected and that yo^{r} Excellency had an army ready to goe and destroy Cadaracqui and another army to go against Mount Reall with a fleet of six hundred sail of ships to attacque Quebeque.

Joseph reports further that there were fifty of the proselites a hunting together and discovered by the French Maquaes. That the Governour had sent sixty bushloopers with one hundred & fourty Indians (but no French Maquas Indians) with expresse order not to take a prisoner alive but kill all, before he came from Mount Reall there was news that the partyes were mett together and that our Indians were upon their guard but knows not what is become of it.

The Indians told him further that if the messengers of the five nations would come to Canida the Governour would serve them as our Indians served Chevaleer Deaux & his Company.

This is all the Relation I can give yo^{r} Excêll from this proselite there are two of the proselites with two Maquaes & two River Indians this last week gone to Canida to fight and to see if they can take a prisoner upon their return yo^{r} Excêll shall have an account they have promised to be here in the space of fourty days the leader of the party is one Brandiho who received the last year a present of cloaths from yo^{r} Excellency I hope they will have good successe.

I remain

Yo^{r} Excellency's most humble

& most obedient servant

Albany the 24th of May 1695. Dellius.

P. S. Just now there is arrived here six of the proselites from their hunting they tell me that there is two squaes and two boys of their castles that were carryed away prisoners to Canida have made their escape and are come to Schenectady in 17 days, they confirm the same news Joseph brough heither and they are making all preparacôns to rebuild Caderacqui no vessells this year arrived at Quebecque.

A true Copy. (signed) DAVID JAMISON Cl. Concilii

Endorsed, Copy of Intelligence come from Albany the 24th May 1695.
Recêd 1st Augt 1695. from Côll Fletcher.
B: A:
P: 51:

Presents recommended to be given to the Five Nations, &c.

[New-York Entries, III. 301.]

A List of goods proper to be presented to the five Nations of Mohaques Onedes Onnondages Cayouges & Senekes within the River Indians at Albany.

24. Coats of blew Cloath which cost in England about 9£ a peece, the said Coats to be laced with St Martins lace and brass buttons find'g setforth.
24. Hats of abt 4£ a pce in England laced about.
24. Shirts of Ordinary Linnen.
24. Striped Neckecloaths.
24. Pair of Shoes and Buckles.
24. Pair of Ordinary red Stockings.
6. Half peices of red Stroud water Cloath.
6. Peices of Striped Blanketts.
10. Peeces of blew } Duffells
2. Peeces of red }
20. Dozen of woolen hose red, blew, yellow, White.
500. Ells of white osenb: for Shirts
2. Grose of Knives black hafted sharpe points
1. Grose of brass Tobacco boxes
1. Barrell of Pipes
6. Pound of Vermillion
50. Brass Kettles of two, three, & four pound a pce thin beaten and light to Carry when they go a hunting, or to war if the Continue, there should be added.
50. Guns as the Traders have from Leige the Barrell of 4½ foot long which used to cost at Amsterdam about 8 Stivers the foot, and the lock with all that belongs to it use to cost there twelve stivers, the stocks are better made at New York or Albany a p 4s a peece.
2000 lbs of Lead and 1000 of good flints.
10. Barrells of Powder.

Which is humbly submitted unto yr Excellcy

New York
10th of November 1694.

By your Excêll: most Obedt Servant
St V. CORTLANDT.

At the Cômittee of Trade and Plantations At the Councill Chamber at Whitehall the 4th of June 1695.

Minute of the Committee upon Col: Fletcher's Letter for prests to be made to the 5 Indn Nations.

Upon reading a letter to the Committee from Collonel Fletcher Governour in Cheif of New York dated the 19th of November last Representing, that he is in hopes to preserve the five Nations of Indians from Starting to the French, and that a present from the King would confirm them in their allegiance to his Majesty and therefore humbly proposing that severall coats and other things mentioned in a list transmitted by Collonell Fletcher to the value of two hundred pounds would be sent to them from his Majesty, Their Lordships agree to move their Excellencys the Lords Justices in Councill that Orders may be given for the Payment of the said Coats and other materialls menconed in the said List hereunto Annexed to be sent to Collonel Fletcher for presents to the Indians accordingly.

Proceedings of the Lords of Trade concerning Mr. Livingston's Petition, &c.

[Journal, VIII. 100-104.]

At the Cômittee of Trade and Plantations at the Council Chamber at Whitehall Wensday the 28th of August 1695.

PRESENT—Earl of Monmouth Mr Secy Trumubll
Earl of Montague Mr Chancellr of ye Exchequr
Mr Smith.

New York.

The Petition and Case of Robert Livingston of Albany in New York referr'd to the Committee by their Excellencies order in Council of the 22d of this month read, Praying to be reimbursed the severall Sums he has expended for the good of the Government of New York and the Petr being called in and heard he alledges that the money raised by Act of Assembly for the payment of the Petitioner and other Creditors of the Publick has not been applyed to that use by reason of the great Exigencies of the Government for the defence of the Frontiers, that unless Orders shall be given here in England for the Petrs satisfaction he has no hopes of relief in New York by reason of Coll: Fletcher's proceedings there, for the proof whereof he produces divers witnesses before the Committee.

And Philip French of New York Gentlemn being sworn says that having heard it discourst at New York before the election of the Assembly about May last that Coll: Fletcher said he would pistoll any man that should chuse Peter De la Noy to serve for that place, the Deponent went to dine with Coll: Fletcher with intent to know the truth of such Report and having spoke of it there in Coll: Fletcher's presence, he the said Coll: Fletcher did not deny but rather owned that he had said so, Whereupon the Deponent asking why he put up De la Noy, he answered that he did not, and the Deponent saying that Coll: De Peyster had reported it so Coll: Fletcher said De la Noy and De Peyster were both Rascalls.

That at the time of the said Election for New York, the Deponent heard there was a great deal of trouble in the town about it, and on the day of election he saw many Soldiers and

Seamen with clubs in the field, of which he took notice to one of the Members of Councill that was there and seeing severall of those called Leisler's Party going out of the field he the Deponent enquired the reason of it from some of them who told him there was a rumer of pressing in the field and therefore they would not stay. The Deponent further says he heard there had been great heats in the Assembly about the Accounts of the Publick Money. The Deponent further says Major Howell told him the last Spring, he feared he the said Major Howell should meet with some trouble because the Governor having called a Court Martial of the Militia Officers to consider of the Relief of Albany, and the Detachments to be sent thither which the Officers consented should be sent upon the credit of being paid by the next Assembly, But that the said Howell was afterwards sent to Albany with the Detachment. The Deponent says he heard it said all the Goldsmiths in town were employed in making Snuff boxes and other plate for presents for the Governor, and that Capt: Sims Captain of a Merchant Ship was a Lieutenant of the King's Company at Albany, William Kid Master of the Brigantine Antegoa being sworn says at the election of Assemblymen for the Town of New York, about 3 months since he saw Soldiers and Seamen with Clubs &c in the field, and many went off the field least they should be prest, and he heard there were freedoms given to severall persons over night before the Election And the Deponent and others Masters of Ships were spoke to by the Sheriff to bring their Seamen on shore to Vote.

Samuel Bradley of New York being sworn says the Evening before the Election of Assembly men in May last for New York, he saw at the Majors house severall freedoms made out to the Purser, Gunner, Boatswain and others of the King's Ship, and the next day he saw severall of the men of wars men in the field. That he the Deponent ask't Mr Tutall the Sherriff whether the freedom intended for the Deponent was made out, which the Sherriff said was ready with the freedome of severall others.

John Albrough a Dutch man being sworn says when the Assembly men were to be elected for New York about May last he saw some of the Soldiers and Seamen of the Man of War in the field and he was afraid to stay there for fear of being prest the soldiers were not in their soldiers coats. That the Deponent's Master being an Assembly man he heard his Master say he had ask't the Govr for an Account, but he was not clear about and soon after the Governor broke the Assembly.

Joseph Davies being sworn say's he saw with an Assemblyman, a short account which came from the last Assembly of about fifteen hundred pounds said to be remaining in the Governor's hands of which he heard the Assembly did desire a more particular account before they would anything else, upon which the Govr did dissolve the Assembly.

The Deponant being Master's Mate of the Nassaw he was ordered by the Master of the said ship to bring the seamen of the said ship to shoar to vote at the election.

Their Lordships order that Captain Shelly Master of the ship Nassaw be summoned to attend the Committee at their next meeting when their Lordships will take this matter into further consideration.

Proceedings of the Board of Trade on Mr. Livingston's Case.

[Journal, VIII., 111–115.]

At the Cômittee of Trade and Plantations at the Council Chamber at Whitehall Saturday the 14th of Septr 1695

PRESENT — Earl of Montague; Earl of Monmouth; Ld Bp of London; Mr Secy Trumbull; Mr Chancellr of ye Exchequr; Mr Smith.

New York

Mr Levingston attending upon his petition and his complaint against Coll: Fletcher with severall others called in.

And Capt Wm Kid sworn says that John Tutall the sherriff of New York spoke to him to get his people from on board his vessell they being Inhabitants of New York to vote at the election about three months since, for such persons as the Governor desired should be elected, but ye Deponent cannot say it was by order from the Governor.

The Deponent further says the Soldiers came into the field a great many together without their soldiers cloaths or their arms with sticks in their hands but they did not vote.

Giles Shelly Master of the Nassaw being sworn says that about May last that he being with his ship Nassaw at New York when the Assembly men for that place were to be elected, he told his Mate, Boatswain and Gunner who were inhabitants of the place they might go on and vote at the election that his mate and boatswain went on shoar, but his Gunner staid on board his ship. The Deponent says he had no orders from Coll: Fletcher for so doing but he spoke to them of his own accord not knowing but he had right to vote at the Election being Inhabitants of New York, the Deponent says he was in the field at the time of the said Election, and he did not see any of the seamen or others belonging to the Men of Warr except the Capt But he saw the soldiers come into the field and they went into the Millyard, which is an enclosure not far from the place of election where they remained till the election was over, they had not their arms but sticks in their hands, nor were they in their soldiers cloaths, but they did not come into the field among the Inhabitants that voted.

Ben: Blidenbourgh being sworn says he was present at the election of Assembly men for New York in May last, where he saw some soldiers come out of the town with staves in their hands, but they did not vote nor did the Deponent then hear any discourse of pressing for the Frontiers, tho' he believes some of Leislers party might absent themselves for fear of it.

The Deponent says it was reported at New York that the Assembly had demanded an Accompt of the money given to Coll Sloughter the former Governor, but that Coll: Fletcher had not given it to them, at which they were dissatisfied, and would give no more money, and that they were soon after dissolved.

He says that he never heard that the Soldiers voted at elections except such of ym as had right by being Inhabitants of the Town.

Thomas Jeffrys Master of the ship New York Merchant being sworn says, he was present at the election of Assembly men for New York about May last he saw no opposition nor did he hear any body was dissatisfied with the election except some who were displeased that Mr John Graham the Attorney Geneall was chosen, the Deponent was no freeman therefore did not

vote, and the Deponent says that Mr Clark the Coroner and Capt of the Militia offered him the Deponent about two years before to make him free which he refused.

The Deponent says that none of the men of his ship came on shoar that day, nor did he hear that any freedoms had been given out upon this occasion.

Mr Levingston further complains to the Committee that Mrs Richd Merryweather and Jacob Harwood of London Merchants had charged him with an Accompt of nine hundred and one pounds six shills for procuring and for the discompt of the talleys for £1670. granted to him in the year 1693 for £2172 New York money advanced to Coll. Codrington in 1688. for the support of the forces employed against the French, besides a former accompt wherewith the said Merchants had charged him for advance & interest relating thereunto, and Mr Merryweather and Mr Harwood attending are called in and being heard Mr Merryweather owns that he had caused the said Accompts, which being presented is now read, to be transcribed out of Mr Harwoods Book of Accts and given to Mr Levingston, and Mr Harwood says yt is the same accompt. Whereupon their Lordships taking notice that the said Accot appears to the Committee by the severall articles to be very unreasonable order the same to be shewn to Mr Attorney Genll for his opinion what may be done by the King for Mr Levingston's relief, to the end he may not be defrauded of the benefit of the said talleys, being for money which he advanced for the service of the Crown.

Certificate of Colonel Dongan in favor of Mr. Livingston.

[New-York, B. T. V., A 21.]

Upon the request of Mr Robt Livingston I doe testify that upon my arrivall to the Government of New Yorke, I founde him in the Offices of Clerke and Collector of Albany, and upon the difficulties that I had of getting and secureing the Five Western Nations of Indians from the French interest, he was very helpfull & assistant in interpreting and writeing all the Propositions that past on both sides; and that he is a person fitt to be employed in that station, there being none of those parts, of the King's subjects, that can speake ye languages as he doth. I being sensible of the trouble and charge he hath undergone in that service doe think it very difficult for him to be employ'd in those publike offices (particularly that of being Secretary or Agent to ye Five Western Nations of Indians) and at ye same time to minde his owne private affaires.

In wittnesse whereof I have hereunto putt my hand this seaventeenth day of September anno Do 1695.

THO: DONGAN.

Petition of Robert Livingston to the Lords of Trade.

[New-York, B. T. V., A 36.]

To the Right Hon^ble^ the Lords of the Committee of Trade and Plantations.

My Lords

I have been hitherto cautious of troubling your Lordp^s^ with the difficultyes of my present condition; but the ill usage I have met with from my correspondents here, force me to lay myself more naked then I hop'd to fynde occasion for. It was my zeal for y^e^ Crowne and the English intrest in America made me launch out my whole estate which I have been 20 years labouring for to gett for y^e^ service of both; and the dissapointments I met with there, by delays of repayment (to say no worse) put me upon undertaking a voyage for England, where I hop'd to receive the moneys due upon my Talleys, at least to sett me up again in my way of trade.

But instead of that, I am not only cutt off £900 of that money, but am kept out of the rest and other effects my correspondents have in their hands, and threatned with tedious and expensive suits, unlesse I will comply with there unreasonable terms. My Lords this hard treatment together with the disasters of my voyage and the melancholick consideration of haveing left a wife and numerous family of young helplesse children, under streights, have almost broken my spirits; and unlesse Your Lord^ps^ support me by effectual orders to New Yorke for my money due there, and by setleing some sallary upon me dureing life, which may not be in the power of our angry Govern^r^ to stop or pervert; I shall be in a worse condition than I was 20 years agoe when I first entred upon the service of y^e^ Crowne, and must sink into poverty and misery. Coll Dongan late Gov^r^ of New Yorke hes been a witnesse of the trouble and charge I have undergone in y^e^ service of y^e^ publicke and can inform your Lord^ps^ whether I am capable of serving it for the future. The necessityes of my family require my speedy return, and force me to beg a dispatch from your Lord^ps^ which I humbly hope yo^r^ Lord^ps^ will pardon

Your Lord^ps^ most humble
and most obedient Servant
Rob^t^ Livingston

(Indorsed) "Sep^t^ 19"
"R^t^ Livingston's Pet^n^"

Statement of Mr. Livingston's Case and Proofs.

[New-York, B. T. V., A 85]

PROOFS.

In Aprill 1692 a Warrant was sent to the Governor of New York from the Lords Commissioners of the Treasury reciting that whereas the officers and Soldiers of the Two Companies of Foot lately at New York, had by their petition prayed their accompts might be stated which being referred to Coll. Sloughter the Gov^r^ of that Province, he had certified that having examined the books and vouchers of M^r^ Cortland who acted for the said Company there appeared to be due £1103 9 8 to the Officers and Soldiers, & to M^r^ Cortland for money disburst for subsistance and other incidents relating to the s^d^ Companies £1356 13 11¼ The Governor is thereby ordered to direct the Receiver Generall in New York, to pay the said sums amounting to £2460 3 7¾ out of the revenue of New York, the necessary charges of the Government being first provided for.

The Petitioner produces a letter under the hand of M^r^ Courtland directed to S^r^ Edmund Andros whom he had ordered to receive the said £1356 3 11¼ desiring him to pay to M^r^ Levingston £490 19 2¾ being his part of the sum which he advanced on the said accompt.

The Pet^r^ alledges that as to the other £37 – –½ was advanced by him to the Officers & Soldiers over and above the said sum of £490 19 2¾ included in M^r^ Cortland's accompt.

By the Journall of the Assembly and Councill of New York in Novêmb. 1692. it appears that a Cômittee of the Councill and of the Representatives being appointed to expedite a state of the Publick Debts; they Report y^e^ Publick Debts to amount to £4850. whereof they find that the third article of £2463 3 7¾ ought to be deminished £30 for so much paid to Ensign Russell.

M^r^ LEVINGSTON'S CASE.

The Petitioner disburst the sum of £561 8. New York money for the subsistance of two Companies of Soldiers in the late reign of King James, & two hundred pounds more for the support of the Garrison of Albany at the time of the late happy Revolution which sum of £561 8^s^. being included in Collonel Courtland's Acco^ts^ was, after a Reference to & a full examination and Report thereof by Colonel Sloughter the late Governor of New York and his Councill recommended by the Lords Commissioners of His Majesties Treasury to Collonel Fletcher the present Governor to be paid after the necessary charges of Government provided for.

PROOFS.

Mr Levingston alledges this £200 to be included in the article of the Publick Debts upon which the Committee of the Councill in Assembly in Novembr 1692 report that they leave the 4th Article of £1105 2 3 expended at Albany, to be inspected into by the House for the particulars.

In November 1692 an act was passed in the Generall Assembly of New York for the payment of ye Publick Debts, whereby severall rates and dutyes were imposed upon goods, for the space of two years, & appropriated to the payment of debts due to such as had advanced money for the support of the Government to be paid to them respectively by quarterly payments, according to the proportion of their said Debts of wch duties no accompt has been as yet transmitted from New York.

And if orders may be sent to Collonel Fletcher to cause the said Act to be put in execution, and the money levyed thereupon to be applyed to the uses to wch the same is thereby appropriated the Petitioner conceives his debt may be satisfied out of the same.

CASE.

And since by an Act of Assembly of N. York made three years agoe, the other two hundred pounds are appointed to be paid out of the Additionall Duty of Goods, imposed for that purpose; but Coll. Fletcher alledges the necessities of the Governmt require that the whole revenue, & applyes it to other uses than it was first appropriated by the Act, whereby Collonel Courtland's whole accompts remaines yet unpaid & the Petitionrs debt unsatisfied.

In the year 1687 when the French at Canada were making preparations to attack the Five Nations of Indians belonging to New York, Coll. Dongan then Govr there, sent some of the forces of the Countrey to Albany, and went himself to sustain the Indians against the French; towards the charges of wch expedition a countrey Rate and other taxes were laid by the Govr and Councill in New York amounting to £3813 6 4 whereof the Petr alledges £1129 3 6 to remain yet unpaid in the severall Countyes; which he humbly prays Coll. Fletcher may be directed to cause to be levyed and ye Petr to be paid ye said sum of £388 out of ye same.

The Petr produces authentick copies attested by the Deputy Auditor of New York of Receipts from severall officers of the Militia for divers

And the Petr in the year 1688 advanced £388. 8. 7 New York Money to the Officers and Soldiers employed in the expedition against the French of Canada, when they invaded the Indians (our Allyes) bordering upon the English Colony; as by an account signed by the Auditor of New York appears; for payment of which a tax was laid upon the inhabitants of the Province whereof £1200 remaines uncolected and the Petrs debt still unpaid.

Proofs	Case
sums, amounting to the s[d] sum £388 upon the credit of the pay due to said Officers and the soldiers under their command.	
The interest of £2172 from y[e] first of Aprill 1688 to Aprill 1693 at 8 p[r] cent being New York interest amounts to £868 16 Interest of £527 19 from the first of August 1688 to Aug[st] 1695 is £295 13 Interest of £233 9 10 from the first of March 1688 to Aug[st] 1695 is £121 16 Interest for £388 8 7 from y[e] first of July 1688 to July 1695 is £217 5 The whole interest for the sums above mentioned amounts to £1503 10 Towards payment whereof the Pet[r] proposes that the £1105 2 3 remaining in arrear of the Tax raised by the Gov[r] and Councill in 1688 may be paid to him, & the residue out of the Revenue of N York by quarterly paym[ts] in two year's time.	The Petitioner in the same year 1688, advanced to Coll: Dongan y[n] Gov[r] of New York for support of the forces employed in that expedition, the further sum of £2172. New York money making £1670 stêrl money, which being included in Coll: Dongan's Acc[ts] the Pet[r] about two years since received Tallyes upon the $\frac{3}{4}$[ths] of the Customes (yet unpaid) for his Principall money only, & there remains due to the Pet[r] for five years interest incurr'd before his receipt of the Talleys after the rate of 8 p[r] cent (which is the legal interest in New York) six hundred sixty eight pounds.
The Petitioner desires, orders to be paid out of the Revenue in New York, what shall appear to be due to him for subsisting the said forces to Nov[r] last.	The Petitioner hath subsisted all his Majesties forces both in New York and Albany, from the time of the late happy Revolution, till Nov[r] last; for which there then remained due to the Petitioner nine hundred pounds.
The Petitioner humbly prays the like quantity of powder may be delivered to him out of His Maj[ts] Stores here in England.	In 1689 when Jacob Leisler assumed the government of New York, he took from the Pet[r] ten barrells of powder, which remained in His Majesties stores at the arrivall of Coll: Sloughter His Majesties first Governour of that Province, and have since been expended in His Majesties service, as by the certificate of Colonell Fletcher, ready to be produced, may appear
By the publick Proceedings transmitted from time to time from New York, it appears M[r] Levingston has been very serviceable to the Countrey in relation to the Indians in those parts; for which it does not appear by the	The Petitioner hath for 20 years last past executed the office of Sec[y] or Agent from the Gov[r] of New York to the Five Nations of Indians bordering upon Albany and allys of the English; as by the Memoriall of his negociations yearly

Proofs	Case
Accompts of the Revenue of that Province any fee or salary has been hitherto allowed to him; and the Pet^{r} producing a certificate from Coll Dongan of the great hindrace that employment is to his private affairs, he humbly prays a salary or yearly allowance during his life for his further encouragement in this service which the Petitioner hopes may amount to £100 stêr^{l} per ann^{m} as of His Majesties Bounty.	transmitted to the Plantation Office, may appear—In w^{ch} employments the Pet^{r} spent much time and pains, but never received any salary or other recompence for it.
The Petitioner further prays he may be confirmed in the said offices for his life.	The Petitioner for Sixteen years past hath executed the Office of Collector of the Excise and Quit Rents of Albany; for which he has had no more than the small salary of £50 New York money p^{r} ann^{m}. The Petitioner hath also executed the Offices of Town Clerk, Clerk of the Peace, & Clerk of the Court of Common Pleas at Albany; the salary and perquisitts thereof never exceeded 20£ p^{r} ann^{m} The Petitioner being reduced to great streights by reason of his large disbursements for the Crown, & his publick employments not affording him a competent subsistance, he was forced to come for England to seek releif; the which voyage (the ship loosing her rudder in a violent storm) he was exposed to the utmost hazards and extremities at sea above five months, being reduced to a pint of water and a little cocoa nutt, a day, for seventeen weeks together, till he was driven upon the coast of Portu[g]al, from whence he travelled through that country and Spain, to the Groyn[1] where he embarked for England. The Petitioner considering the many important and necessary occasions His Majesty hath for money during this expensive war against France, waves all expectation of being reimbursed here, and humbly proposes to your Excellencies and prays:—
The interest of £527 19 3¼ from the 1st	That an order may be sent to the Governor

[1] Qu! *La Corogne* of the French, or *Corunna* of the English maps. — Ed.

Proofs	Case
August 1695 at 8 p^{r} cent, being New york interest, is £295 13^{s}.	of New York to pay the Petitioner his disbursements of £761 8 with interest out of the additional customes arising there, and that the said duties may not be applyed to any other uses then what they were given for
The interest of £233 9 10 from the 1st of March 168$\frac{8}{9}$ to Augst 1695 is £121 16	
The interest of £388 8 7 from the 1st July 1688 to July 1695 is £217 5	That an order may be sent to the same Governor to levy the money appointed for defraying the charges of the expedition againt y^{e} French in 1688. and to pay the Pet^{r} his disbursments of £388 8 7 with interest out of the first money to be so raised.
The interest of £2172 from the 1st of Aprill 1688. to the first of Aprill 1693. that the Tallys were struck and deliver'd to M^{r} Levingston Agent is £868 16	That an Order may be sent to the same Governor to apply the residue of that money towards satisfaction of y^{e} interest due to the Pet^{r} for y^{e} 1670£ advanced by him to Coll Dongan for subsistance of the forces in 1688.
	That an order may be sent to the same Governor to repay the Petitioner the £900. advanced by him for subsistance of His Maj^{ties} forces since the Revolution; out of the taxes laid for the payment of the Forces.
	That your Excellencys will please to order as many barrells of powder to be delivered to your Petitioner out of His Ma^{ts} stores here, as were taken from your Petitioner by Jacob Leisler
	That the Petitioner may be confirmed in his employments of Collector of the Excise of Albany, and Town Clerk, Clerk of the Peace and Clerk of the Court of Common Pleas at Albany during his life, with the usual salaries and fees, and to be executed by himself or his sufficient Deputys
	That the Petitioner may have such a salary during his life out of the Revenue arising to His Maj^{ty} in New York for his executing the office of Secretary or Agent from the Governor to the 5 Nations of Indians, as your Excellencys shall think fit; for which the Petitioner will oblige himself to keep true records of all transactions with them and to transmitt them to England.

PROOFS CASE

All which your Petitioner doth nevertheless most humbly submitt to your Excellencys great wisdome.

(Indorsed)
"State of Mr Levingston's case
"as laid before the Committee
"the 19th of Septr 1695."

Mr. Robert Livingston to the Lords of Trade.

[New-York, (B. T.) V. A 13.]

To the Right Honble the Lords of the Cômittee of Trade and Plantations.

May it please Yor Lordships.

My occasions are very urgent and require my returning to New York within three weeks, which forces me humbly to beg of yr Lordships that my case may receive yr Lordships speedy and absolute determination, though I have not produc'd all my accounts, formally stated by the Auditr & certify'd by the Governr of New York, as I am informed is usuall upon all addresses of this nature. Besides that I was a stranger to the manner of proceedings at this Honble Board, and am at too great a distance to rectify that errour now; I hope it sufficiently appears to yr Lordships that I could not have obtain'd from the Governr any favor that was necessary to recómend my case to yor Lordships, but I hope the justice of it will support it self, and the orders I desire will prvent my putting any fraud upon the Government, if I could have so base a design.

The first sum I seek relief for is £561 8s. This is included in Coll: Courtlands account which has been audited at New York, been approv'd of at this Honble Board and order'd by the Lords of the Treasury to be paid; and if a generall order be sent that Coll: Courtlands account shall be paid, it will be as satisfactory to me, as if I had a particular order for my own money only.

The second sum of £200 is included in the amount called the Albany account, which has been examined and settled by the Assembly there; and a generall order for payment of that account will answer my end.

The third sum of £388 8s has been examin'd and sign'd by the Auditr of New York, whose certificate I have ready to produce.

The fourth sum of £668 sterling money, which I humbly beg the allowance of for five years interest of £1670. advanc'd to Coll Dongan in 1688, may be as well computed here as at New York, being only a point of cómon arithmetick, and I hope will be thought very reasonable for the following consideration.

I am charg'd by my Agent here with £495 4 5½ for the advance and interest of some of those individual goods which make part of the said £1670, and I am charg'd with £901 6 for the expences of procuring and discounting the Tallys I had for that £1670. principall; so that unlesse the £668. be allow'd me for interest, I shall not receive above £275. for my whole £1670. disburs'd, and if the £668. be allowed to me I shall still lose £627. by advancing that sum of £1670. for the service of the Crown.

The fifth sum of £900. was adjusted before I came from New York; but to obviate all objections concerning that money, I desire only an order for so much as remain'd due to me in November last for subsisting His Maᵗʸˢ forces, without ascertaining any particular Sum.

The quantity of powder taken from me by Leisler and spent in His Majᵗⁱᵉˢ service is acknowledg'd by the present Governᵉ certificate; which I have ready to produce.

The Offices I have formerly executed I am willing to continue the execution of, or to lay down, as your Lordships shall conceive most for His Maᵗʸˢ service; But if your Lordships shall think it fit to continue me Agent to the Indians, I humbly beg the encouragement of a salary of £100 pʳ Ann sterlᵍ money tord's my charges and losse of my time from my private affairs, and that I may be constituted in my severall employments by an order from yʳ Lordships.

All which is humbly submitted to yoʳ Lordships great wisdom and justice by

My Lords

To the Right Honᵇˡᵉ
the Lords of the Cõmittee
of Trade & Plantations

Yoʳ Lordships most humble Servᵗ
Robᵗ Livingston.

Minute of the Board of Trade on the Case of Robert Livingston.

[Journal, VIII., 124.]

At the Cõmittee of Trade and Plantations. At the Council Chamber at Whitehall Tuesday the 1ˢᵗ of October 1695.

Present—	Earl of Oxford	Mʳ Vice Chamberlain
	E. of Montague	Mʳ Secʸ Trumbull
	E. of Romney	Mʳ Chancellʳ of the Exchequer
	Lᵈ Bᵖ of London	Mʳ Smith

New York

The Proofs upon the severall articles of Mʳ Levingston's petition are read and the draught of a Report thereupon read and approved after which information having been given to the Committee that Mʳ Levingston is the Person that protested against the Proclaiming their Majesties at Albany their Lordships order the Proceedings of that time transmitted to the Plantation Office to be lookt out in order to the informing the Committee of the truth of the matter, and that Mʳ Hackshaw, Capᵗ Harbin Capᵗ Shelly Mʳ Jackson and others who may give an Accoᵗ of that matter to the Committee be summon'd to attend at the next meeting Mʳ Levingston who is heard upon this Information averrs that he proclaimed their Majesties himself in person, but that indeed he had protested with others against the Proceedings of Jacob Leisler and others at New York.

Mr. Robert Livingston to the Lords of the Treasury.

[New-York, B. T. V., A 30.]

To the Right Hon^ble^ the Lords Commissioners of His Maj^s^ Treas^ry^

My Lords

His Maj^e^ in Council having been pleased to referr to your Lop^s^ consideration the report of the Lords of the Committee of Trade and Plantations made upon my petition; I humbly crave leave to give your Lop^s^ a short account of my case relateing to the principal sums mentioned in that Report which otherwise will appear obscure to your Lordships.

None of the severall sums enumerated in the Report accrued due to me by y^e^ sale of goods to y^e^ Crown, whereby I could get any profit, but were advanc'd by me in specie when y^e^ exigencys of the Province of New Yorke required greater supplys than the Revenue of that place could afford, and I rais'd 'em out of a true zeal for the Crown, that the country might not be expos'd to a French invasion, as it otherwise must have been. The principall sums are allow'd by y^e^ Lords of the Committee of Trade and Plantations to be just, and an order of Council is pass'd for payment of 'em at New York, and I humbly hope it will appear as reasonable that I should have interest for those sums, as that I should receive the principal it self, for these following considerations:—

1. I advanc'd a great part of those moneys upon my credit and have paid interest for 'em.

2. The rest of the moneys, advanc'd out of my own pocket I could have improv'd in trade, or at least have lent out at y^e^ same interest I desire from the Crown.

3. The want of these monys for so many years since I disbursed 'em, have forc'd me to trade upon credit to and from England, and I have been constrain'd to allow to my correspondents here for y^e^ advance and interest of that credit, much more then I now ask

4. The Tallys deliver'd to my Agent in April 1693. for y^e^ sum of £2172 N. Yorke mony (being y^e^ first sum mentioned in the Report) have been so farr from reimbursing me the principal £2172. that being struck upon the Three fourths of y^e^ Customs after £8S3000. and not obtained but after a long solicitation, my Agent hes charged me, and Arbitrators have allowed him for expences & commission money and discount of those tallys above £800; so that the interest of that sum, if allowed me, will still leave me a looser severall hundred pounds upon that single article.

5. The straights I lay under from y^e^ want of the principal monys I have disburs'd for y^e^ Crown forc'd me to take a voyage hither wherein I mett with great hazards extremetyes and losses and shall be at the expence of £500 before I can get home.

These reasons I hope will be satisfactory to your Lordps and induce your Lordps. to allow me interest, not only for y^e^ time past, but to y^e^ time of payment of y^e^ principal sums; all which (except y^e^ first sum of £2172.) are still remaining unpaid.

The salary of £100 sterling dureing my life mention'd in y^e^ Report, will I hope appear a modest request for my past and future services, when I have told your Lordships that I have perform'd the office of Secretary or agent from y^e^ Governm^t^ of N. Yorke to the 5 Nations of Indians for 20 years past, neglected my own private affares, spent at least £50 per ann^m^ entertaining of those people at my own house, and never received any allowance or recompence whatsoever for it. The other small offices mentioned in the Report I have executed for 15 or 16 past without exception, the salarys and perquysites of all which never exceeded £70. p^r^

annᵐ New Yorke money, and will not I hope be thought too great to be confirmed to me for life, to be executed by me or my sufficient deputyes.

My Lords. The necessityes of N. Yorke dureing yᵉ warr are so great that it will be very difficult to raise yᵉ principall moneys due to me, and impossible to raise yᵉ interest out of yᵉ Revenue of the Province; and therefore I humbly pray that instead of £1503 10ˢ New Yorke money to be paid there yʳ Lps. will recommend me to His Majᵉ for yᵉ value to be paid here. Without such assistance I shall not be able to carry any cargoe home, & shal have as litle credit there as I have here where I am a stranger, but shall with my wife and six children be expos'd to contempt and want.

My Lords. Thogh my own interest and the sake of my family touch me very neerly, I have a great regard to His Majˢ interest in what I ask; for if I return to N. Yorke without some suiteable encouragement from hence, al people there wil be very backward in advanceing money for the publick, whatsoever exigency befalls it, and what yᵉ consequences of that may bee I dred more then I can expresse; for New Yorke being a fronteer place and extreamly impoverish'd by the war, many of the inhabitants have already deserted it.

My Lords. My affares require my immediate return to America, and yᵉ Lords of the Admiralty have commanded the ships to be ready to depart on New years Day; and therefore I most humbly beg the favor of your Lordps speedy resolution and Report concerning, My Lords

Your Lordships most obedient Servant

[Decʳ 1695.] Robᵗ. Livingston.

Report of the Lords of the Treasury on the Case of Robert Livingston.

[New-York, (B. T.) V., A.80.]

May it please Your Majesty.

In obedience to Your Maᵗˢ Commands in the annext order of Councill relating to Robert Livingston of New York; We have consider'd the matters thereby referred to us and do most humbly report to your Majesty:—

That as to the Peticôners craving of interest after the rate of £8 pʳ cent for the summe of £2172 New York money, from the time he advanced the same there, for the support of the forces against the French in the year 1688 untill Aprill 1693 the time he had Tallyes assigned him here for £1670 sterling money, in satisfaction of the said principall money of New York; We humbly conceive it reasonable to be allowed as well in justice to the Petʳ (who alledges he might have made advantage of his money in trade or otherwise) as for the encouragement of others to be serviceable to Your Maᵗʸ on the like occasion; the said interest of £8 pʳ Cent (being as we are informed the usuall rate allowed there) amounts to £868 16ˢ 0ᵈ

And as to his other cravings of like interest for the three summes undermentioned, to wit

For £527 19 3½. disbursed for the soldiers in New Yorke in the reigne of the late King from yᵉ 1ˢᵗ of August to August 1695,..... £295 13 —

For £233 9 10. expended for the support of the garrisons at Albany & New York from 1ˢᵗ March 1688 to August 1695..... 121 16

And for £388 8 7. advanced to the soldiers in New York who were employed in the expedition against the French in the year 1687. from 1st of July 1688 to 1st July 1695..... 217 5 0

making together £634 14 0. we are humbly of opinion that in regard Your Maty by an Order in Councill dated the 21st of November last (a Duplicate whereof is hereunto annext) hath directed the Governour of New Yorke for the time being to take care forthwith that the Petr be satisfyed out of the Revenues there, what he shall make appear to the said Governour and Councill to be justly due to him (which Order as we humbly conceive will onely extend onely to the payment of the principall summs therein mencóned) it may also be equitable to allow him like interest of £8 pr Cent as above, to be computed from the time he shall make it appear that he advanced the said sûms there, untill the time he shalbe reimbursed the same.

And whereas by a memoriall delivered to us by the said Mr Levingston he sets forth, that during the warr the necessityes of New York will be so great that it will be very difficult to rayse the principall, and impossible to rayse that and the said interest due to him; and prays that in lieu of the said sûms amounting to £1503 10—money of New Yorke, he may receive the value of the said interest here; We humbly propose (if Your Maty shall so thinke fitt) that for the said £868 16—interest, which is already adjusted, and of which the principall has been already satisfyed here, Your Maty may be graciously pleased to direct payment of £668 sterling (being at £30 pr Cent discount, which, as we are informed, is the value of the said £868 10s in New York) either by the hands of the Earl of Ranelagh to be placed in his account for Contingents of the Army, or in such other manner as Your Maty shall please to appoint. And that as to what shall appear to be due to him for the interest of the last mencôned three sûms, from the time of his advancing the same respectively untill the time of their repaymt, may be satisfyed out of the Revenues of the Province of New York, by an Addll order from Your Maty to the said Governour at the rate of 8 pr Cent as aforesaid.

Lastly in consideracôn of the long and faithfull services of the said Mr Levingston in all the treatyes and Negotiations with the Indians in those parts, he having been (as is certifyed) at great trouble and charge therein, and having not hitherto had any salary for the same; We thinke he may deserve as a reward for the time past, and to encourage him in Your Mats service for the time to come, a salary of one hundred pounds sterling pr annñ. to be setled upon him out of the Revenues of New York, during his life, to commence as Your Majesty shall thinke fitt. And we have no objection against his being confirmed in the offices of Collector of the Excise & Quitt Rents, Town Clerk, Clerk of the Peace, and Clerk of the Court of Common Pleas at Albany, with the usuall salarys during his life, as desired.

All which is most humbly submitted
to Your Majesties great wisdome

Whitehall
Treâry Chambrs
2 Janry 1695

(signed) Godolphin
(signed) Ste: Fox
(signed) J Smith.

Order to Governor Fletcher to accept the Contributions of Maryland and Virginia.

[New-York Entries, III. 254.]

Trusty and Welbeloved Wee greet you well, Whereas upon your representation, That notwithstanding Our Pleasure signified to our severall Colonies in the Northern Parts of America, That they should agree upon a Quota of men or other assistance to be given by them respectively for the defence of Our Province of New York, some of the said Collonies having omitted to send Com^rs^ to adjust the said Quotas, nothing had been done therein, the severall Governors of Our said Colonies were directed to send the respective Quotas of men or other assistance appointed by us for the defence and security of Our said Province, We declaring Our Pleasure, that two hundred and forty men of Our Militia of our Colony of Virginia and one hundred and sixty men of Our Militia of Our Province of Maryland should be the measure of the Assistance to be given by our said Colony and Province upon the application of our Governor or Comander in Cheif of our Province of New York, and it having been represented unto us by our respective Governors of our Colonies of Virginia and Maryland, that having in Obedience to Our Commands herein recommended to the care of the Gen^ll^ Assemblys of our said Colony and Province respectively the providing fitt supplys for the said Quotas, they had alleged that the Inhabitants being very poor by reason of the war and the low price of Tobacco, and the apprehensions of Forreign Indians, putting the countrey to great charges to secure their Frontiers, they are become incapable of affording any assistance to New York, and had humbly Prayed to be Excused from all contribution of that nature but that for the present the respective Assemblys have appropriated the Sum of five hundred pounds for our Colony of Virginia and two hundred pounds for our Province of Maryland to ly ready for the service, and have accordingly given power to the respective Governors to apply the same as there shall be occasion. We have thereupon signified Our Will and Pleasure to Our trusty and Welbeloved S^r^ Edm^d^ Andros our Governor in Cheif of our Colony of Virginia and to our trusty and Welbeloved Francis Nicholson, our Governor in Cheif of Our Province of Maryland, to dispose of the said severall sums of five hundred pounds and two hundred pounds respectively upon your applicat^n^ towards the defence and security of our Province of New York which said respective sums of five hundred pounds and two hundred pounds, Wee are pleased to declare shall be instead of the Quotas or other assistance to be given by Our said Colony of Virginia and Province of Maryland towards the defence and security of our said Province of New York, Until we shall signify our further Pleasure therein, Given at Our Court at Kensington this second day of January 169$\frac{5}{6}$ In the Seventh Year of Our Reign

By his Majes^ts^ Command.

Board of Trade to Governor Fletcher.

[New-York Entries, III. 251.]

Councill Chamber Whitehall
the 17th of February 1695.

Sr

The Lords of the Commmittee of Trade and Plantations having considered severall examinations taken before the Committe relating to your Excellencys Proceedings in the Government of his Majesties Province of New York, Their Lordships have ordered the enclosed Copy to be sent to your Excellency for your Answer in writing to the severall Matters contained in the said examinations I am

Copies of Examintns for his answer.

Sir

Your Excellencies most humble &c.

Evidence taken before the Lords of Trade against Governor Fletcher.

[New-York Papers, IV. B. A. 15.]

Examinations taken before the Right Honoble the Lords of the Committee of Trade and Plantacôns.

At the Comittee the 28th of August 1695.

Philip French of New York gentleman being sworn says that having heard it discourst at New York before the election of Assembly about May last, That Col. Fletcher said he would pistoll any man that should chuse Peter De la Noy to serve for that place, The Deponent went to dine with Côl. Fletcher with intent to know the Truth of such Report and having spoke of it there in Côl Fletcher's presence he the said Côl. Fletcher did not deny but rather own'd that he had said so. Whereupon Deponent asking him why he put up De la Noy, he answer'd that he did not and the Deponent saying that Col. Depeyster had reported it so Col. Fletcher said De la Noy and Depeyster are both rascalls.

That at the time of the said election for New York the Deponent heard there was a great deal of trouble in the Town about it and on the day of Election he saw many soldiers and seamen with clubbs in the field of which he took notice to one of the Members of the Councill that was there, and seeing severll of those call'd Leislers party going out of the field, he the Depont enquired the reason of it from some of them who told him there was a rumer of pressing in the feild and therefore they would not stay.

The Deponent further says, he heard there had been great heats in the Assembly about the Accots of Publick Money.

The Deponent further says, Major Howell told him the last spring, he feard he the said Major Howell should meet with some trouble, because the Governr having called a Court Martial of the Militia Officers to consider of the Releif of Albany and the detachmt to be sent thither which the officers consented should be sent upon the credit of being paid by the next Assembly But that he the said Howell was against it, and the said Major Howell was afterwards sent to Albany with the detachments.

The Deponent says that he heard it said all the Goldsmiths in Town were employed in making snuff boxes and other plate for presents for the Governor And that Capt. Tims [Sims] Cap^{t} of a Merchant ship was a Lieuten^{t} of the Kings Company at Albany.

William Kid Master of y^{e} Brigantine Antegoa being sworn, says at the Election of Assembly men for the town of New York about three months since he saw soldiers and seamen with clubbs &c^{a} in the feild & many went out to the feild least they should be prest and he heard there were fredoms given to sever^{ll} persons over night before the election and the deponent and other Masters of ships were spoke to by the Sherriff to bring their seamen on shoar to vote.

The 14 of Septemb^{r} 1695.

The Deponent further says That M^{r} John Tutall the Sherriff of New York spoke to him to get his people from on board his vessell, they being Inhabitants of New York to vote at the Election about three months since for such persons as the Govern^{r} desired should be elected but the Deponent cannot say it was by order from the Govern^{r} The Deponent further says the Soldiers came into the feild a great many together without their soldiers cloaths or their arms, with stick in their hands but they did not vote.

The 28th of August 1695.

Samuel Bradley of New York being sworn says the evening before the Election of Assembly men in May last for New York he saw at the Mayor's House sever^{ll} freedoms made out to the Purser, Guñer, Boatswain and others of the King's ship and the next day he saw sever^{ll} of the Men of War's Men in the feild.

That he the Deponent askt M^{r} Tutall the Sherriff whether the freedome intended for the Deponent was made out which the Sherriff said was ready with the freedome of sever^{ll} others.

John Alborough a Dutchman being sworn, says that when the Assembly were to be elected for New York about May last he saw some of the soldiers and seamen of the Man of War in the feild and he was afraid to stay there for fear of being prest, the soldiers were not in their Soldiers coats.

That the Deponent's Master being an Assembly man he heard his Mast^{r} say he had askt the Govern^{r} for an accompt but he was not clear about it, and soon after the Govern^{r} broke the Assembly

Joseph Davies being sworn says he saw with an Assembly man a short acco^{t} which came from the last Assembly of about fifteen hundred pounds said to be remaining in the Govern^{rs} hands of which he heard the Assembly did desire a more perticular acco^{t} before they would do any thing else upon which the Govern^{r} did dissolve the Assembly.

The Deponent being Master Mate of the Nassau, he was order'd by the Master of the said ship to bring the seamen of the said ship to shoar to vote at the Election.

At the Committee of the 14th Septemb^{r} 1695

Giles Shelly Mast^{r} of the Nassau being sworn says that about May last, that he being with his ship Nassau at New York when the Assembly men of that place were elected, he told his Mate, Boatswain & Gunner who were Inhabitants of the Place, they might go and vote at the Election, that his Mate and Boatswain went on shoar but his Gunner staid on Board his said ship, The Deponent says he had no orders from Côl Fletcher for so doing, but he spoke to them

of his own accord not knowing but they had right to vote at the Election being Inhabitants of New York. The Deponent says he was in the feild at the time of the said Election, and he did not see any of the seamen or others belonging to the Man of War except the Captain. But he saw the Soldiers come into the feild and they went into the Mill yard which is an enclosure not far from the place of Election where they remained till the Election was over, they had not their arms but sticks in their hands, nor were they in their soldiers cloathes But they did not come into the feild amongst the Inhabitants that voted.

Benjamin Blidenburgh being sworn says he was present at the Election of Assembly men for New York in May last were he saw some soldiers come out of the town with staves in their hands, but they did not vote nor did the Deponent then hear any discourse of pressing for the frontiers, tho' he beleives some of Leislers party might absent themselves for fear of it.

The Deponent says it was reported at New York that the Assembly had demanded an acc^{t} of the money given to Col. Sloughter the former Govern^{r}. But that Col. Fletcher had not given it to them at which they were dissatisfied and would give no more money and that they were soon after dissolv'd.

He says he never heard that the soldiers voted at elections except such of them as had right by being inhabitants of the town.

Thomas Telfers Mast^{r} of the ship New York merch^{t} being sworn says he was present at the election of Assembly men for New York about May last, he saw no opposition nor did he hear any body was dissatisfied with the election, except some who were displeased that M^{r} John Graham the Attorney Gen^{ll} was chosen, the Deponent was no freeman and therefore did not vote. But the Deponent says that M^{r} Clark the Coroner and Cap^{t} of the Militia offer'd him the Deponent about two years before to make him free which he refused.

The Deponent says that none of the men of his ship came on shoar that day nor did he hear that any freedomes had been given out upon this occasion.

The Deponent says he saw the soldiers in the feild but they had not their soldiers cloaths nor their arms, nor did they come upon the ground where the election was, but they were together in a consderable body.

Endorsed. Examinacôns taken before the Right hono^{ble}
the Lords of the Committee of Trade and Plantacôns.
B: A:
P: 15.

Commission Establishing a Board of Trade, &c.

[Journal, IX., 1.]

His Majesties Commission for promoting the Trade of this Kingdom and for inspecting and improving His Plantations in America and elsewhere.

William the Third by the Grace of God King of England, Scotland, France and Ireland, Defender of the Faith &a. To our Keeper of oure Great Seale of England or Chancellor of England for the time being, Our President of Our Privy Council for the time being, Our

first Commissioner of Our Treasury And our Treasurer of England for the time being, Our first Commissioner of our Admiralty and Our Admirall of England for the time being, And our principall Secretarys of State for the time being, And the Chancellor of Our Exchequer for the time being, To Our Right Trusty and Right Well beloved Cousin and Councillor John Earl of Bridgewater, and Ford Earl of Tankerville, To our trusty and Well beloved Sir Philip Meadows, Kn^{t}, William Blaithwayte, John Pollexfen, John Locke, Abraham Hill, and John Methwen, Esquires, Greeting:

Whereas We are extreamly desirous that the Trade of Our Kingdom of England, upon which the strength and riches thereof do in a great measure depend, should by all proper means be promoted and advanced; And Whereas We are perswaded that nothing will more effectually contribute thereto than the appointing of knowing and fitt persons to inspect and examin into the general Trade of our said Kingdom and the severall parts thereof, and to enquire into the severall matters and things herein after mentioned relating thereunto, with such Powers and Directions as are herein after specified and contained.

Kno wyee therefor that We reposing espetiall Trust and Confidence in your Discretions, Abilityes and Integrities, Have nominated, authorized and constituted, and do by these presents nominate authorize and appoint the said Keeper of Our Great Seale or Chancellor for the time being, The President of Our Privy Council for the time being, The Keeper of our Privy Seale for the time being, The first Commissioner of Our Treasury or Treasurer for the time being, The First Commissioner for executing the Office of Admirall and Our Admirall for the time being, Our Principall Secretarys of State for the time being, And Our Chancellor of the Exchequer for the time being, And you John Earl of Bridgewater, Ford Earl of Tankerville, Sir Philip Meadows, William Blathwayte, John Pollexfen, John Locke, Abraham Hill, and John Methwen, or any other three or more of you, to be Our Commissioners during our Royal Pleasure, for promoting the Trade of our Kingdome, and for Inspecting and Improving our Plantations in America and elsewhere.

And to the end that Our Royall purpose and intention herein may the better take effect Our Will and Pleasure is, and We do hereby order, direct and appoint, That you do diligently and constantly as the nature of the service may require, meet togeather at some convenient Place in Our Palace of Whitehall which we shall assigne for that purpose, or at any other place which we shall appoint for the execution of this Our Commission.

And We do by these presents authorize and impower you Our said Commissioners, or any Three or more of you, to enquire, examin into and take an Account of the state and condition of the general Trade of England, and also of the several particular Trades in all Forreigne parts, and how the same respectively are advanced or decayed, and the causes or occasions thereof; and to enquire into and examine what Trades are or may prove hurtfull, or are or may be made beneficiall to our Kingdom of England, and by what ways and means the profitable and advantageous Trades may be more improved and extended and such as are hurtfull and prejudiciall rectifyed or discouraged; and to enquire into the several obstructions of Trade and the means of removing the same. And also in what manner and by what proper methods the Trade of our said Kingdom may be most effectually protected, and secured, in all the parts thereof; And to consider by what means the severall usefull and profitable manufactures already settled in Our said Kingdom may be further improved, and how and in what manner new and profitable Manufactures may be introduced.

And we do further by these presents Authorize and require you Our said Commissioners, or

any three or more of you, to consider of some proper methods for setting on worke and employing the Poore of Our said Kingdome, and makeing them usefull to the Publick, and thereby easeing Our Subjects of that Burthen; and by what ways and means such designe may be made most effectuall; and in generall, by all such methods and ways as you in your Discretions shall thinke best, to inform your selves of all things relating to Trade and the promoting and encouraging thereof; As also to consider of the best and most effectual means to regaine, encourage and establish the Fishery of this Kingdom.

And our further Will and Pleasure is, that you Our said Commissioners, or any Five or more of you, do from time to time make representations touching the Premisses to Us, or to Our Privy Council, as the nature of the Business shall require, which said Representations are to be in writing, and to be signed by Five or more of you.

And We do hereby further Impower and require you Our said Commissioners to take into your care all Records, Grants and Papers remaining in the Plantation Office or thereunto belonging.

And likewise to inform your selves of the present condition of Our respective Plantations, as well with regard to the Administration of the Government and Justice in those places, as in relation to the Commerce thereof; And also to inquire into the Limits of Soyle and Product of Our severall Plantations and how the same may be improved, and of the best means for easing and securing Our Colonies there, and how the same may be rendred most usefull and beneficiall to our said Kingdom of England.

And We do hereby further impower and require you Our said Commissioners, more particularly and in a principal manner to inform yourselves what Navall Stores may be furnished from Our Plantations, and in what Quantities, and by what methods Our Royall purpose of having our Kingdom supplied with Navall Stores from thence may be made practicable and promoted; And also to inquire into and inform your selves of the best and most proper methods of settling and improving in Our Plantations, such other Staples and other Mauufactures as Our subjects of England are now obliged to fetch and supply themselves withall from other Princes and States; And also what Staples and Manufactures may be best encouraged there, and what Trades are taken up and exercised there, which are or may prove prejudiciall to England, by furnishing themselves or other Our Colonies with what has been usually supplied from England; And to finde out proper means of diverting them from such Trades, and whatsoever else may turne to the hurt of Our Kingdom of England.

And to examin and looke into the usuall Instructions given to the Governors of Our Plantations, and to see if any thing may be added, omitted or changed therein to advantage; To take an Account yearly by way of Journall of the Administration of Our Governors there, and to draw out what is proper to be observed and represented unto Us; And as often as occasion shall require to consider of proper persons to be Governors or Deputy Governors, or to be of Our Councill or of Our Councill at Law, or Secretarys, in Our respective Plantations, in order to present their Names to Us in Councill.

And We do hereby further Authorize and impower you Our said Commissioners, to examin into and weigh such Acts of the Assemblies of the Plantations respectively as shall from time to time be sent or transmitted hither for Our Approbation; And to set down and represent as aforesaid the Usefulness or Mischeif thereof to Our Crown, and to Our said Kingdom of England, or to the Plantations themselves, in case the same should be established for Lawes there; And also to consider what matters may be recommended as fitt to be passed in the Assemblys there,

To heare complaints of Oppressions and maleadministrations, in Our Plantations, in order to represent as aforesaid what you in your Discretions shall thinke proper; And also to require an Account of all Monies given for Publick uses by the Assemblies in Our Plantations, and how the same are and have been expended or laid out.

And We do by these Presents Authorize and impower you Our said Commissioners or any Three of you, to send for Persons and Papers, for your better Information in the Premisses; and as Occasion shall require to examin Witnesses upon Oath, which Oath you are hereby impowred to Administer in order to the matters aforesaid.

And We do declare Our further Will and Pleasure to be, That you Our said Commissioners do from time to time report all your doeings in relation to the Premisses in writing under the hands of any Five of you, as aforesaid, to Us, or to Our Privy Council, as the nature of the thing shall require.

And We do hereby further Authorize and impower you Our said Commissioners to execute and perform all other things necessary or proper for answering our Royall Intentions in the Premisses.

And We do further give power to you Our said Commissioners, or any three or more of you, as aforesaid, from time to time, and as occasion shall require, to send for and desire the advice and assistance of Our Atturney or Sollicitor Generall or other Our Councill at Law:

And We do hereby further declare Our Royall Will and Pleasure to be, that We do not hereby intend that Our Chancellor of England or Keeper of Our great Seale for the time being, The President of Our Privy Councill for the time being, The Keeper of Our Privy Seale for the time being, The Treasurer or first Commissioner of Our Treasury for the time being, Our Admirall or first Commissioner for executing the Office of Admirall for the time being, Our Principall Secretarys of State for the time being, or Our Chancellor of the Exchequer for the time being, should be obliged to give constant attendance at the meeting of Our said Commissioners, but only so often and when the presence of them or any of them shall be necessary and requisite, and as their other Publick service will permitt.

In Witness whereof We have caused these Our letters to be made Patents, Witness Thomas Archbishop of Canterbury, and the rest of the Guardians and Justices of the Realm. At Westminster the Fifteenth day of May in the Eighth yeare of Our Reigne

By Writt of Privy Seale

Chute.

Memorandum. This Commission was revoked by a subsequent one bearing date at Westminster the sixth of July 1697; the latter being in every respect the same as the former Commission with the addition of the following clause.

Revocation of former Commission

Lastly We have revok'd and determined, and by these presents do revoke and determin, certain Letters Patents under the Great Seale of England, bearing date the fifteenth day of May in the Eighth year of Our reigne, whereby we constituted and appointed all the persons above named except the said George Stepney, together with John Methwin Esq^r^ to be Our Commissioners for promoting the improving Our Plantations in America and elsewhere, and every Article clause and thing therein conteined.

Governor Fletcher to the Duke of Shrewsbury.

[New-York Entries, A. 4.]

Copy of Coll: Fletcher's letter to His Grace The Duke of Shrewsbury.

May it please Your Grace.

Thanksgiving. I have received the Joyful news, of that happy deliverance to His Majᵗʸ, and his Governᵗ from the base, and horrid conspiracys, and plotts of His Ennemies, and a day of thanksgiving is appointed, throghout the province, to be observed by all His Majᵗʸ's subjects, who I may say, are unanimously rejoyced.

Association. The Association is signed by me, and the Council, and copys thereof transmitted to each County to be signed, by all Officers, Civil and Military, Freeholders and inhabitants whatsoever; There is but one Gent: in the City has refused, he is a Roman Catholick, and had made application unto me, a copy of His petition is herewith sent.—

We are very sencible of Your Grace's care of this province, and humbly beg the continuance of Your Grace's patronage and protection

Present. I hear the present for the Indians was ordered, but is not yet come over. Our Indians will not bear heavy arms, and therefor I did likewise apply, for 400. light Dutch fusees, to be given them, as itt is found needfull.

I have sent Your Grace a copy of the latest intelligence from the frontiers.

Forces The four companies were very much weaken'd by death and desertion.

Recruits I did prevaile with the Assembly to provide a fund for £3 a man levy money, to raise 120 men Volunteers, to recruite the company, who are listed for one year, there is likewise some encouragement, provided for the companies the same time; I was necessitated to take this method, not being able to get one man from the neighbouring Colonies

Subsistence notwithstanding my frequent application. It is very needful the subsistence of four companys be punctually paid, they are all I can depend upon.

Brook and Nicoll. I was advised by the Council and Assembly of this Province, to send over Mʳ Brooke and Mʳ Nicolls, both of the Council here, to represent our present state, and circumstances to His Majesty, and have not heard of their arrival, they have instructions relating every minute affair of this province, and I hope will have credence, as I have humbly requested from Your Grace. Who am

May it please Your Grace—Your
Graces most dutifull most obedient
and most humble servant

New Yorke the 30ᵗʰ May 1696. Ben. Fletcher

Governor Fletcher to the Lords of Trade.

[New-York Entries, A. 10.]

May it please Your Lordships.

On the 25th inst: I received the duplicate of Your Lordps letter of March the tenth which I did communicate to His Majtys Council for this province, who Joyne with me in thanks to almighty God for that wonderfull and great deliverance. We are infinitely obliged to Your Lordps care of this His Majtys Province.

A ship belonging to this place from Madera happily mett at sea that vessell which had Your Lordp's packet for Virginia and brought me a Gazett which gave me an account of that horrid
News of the Plot. conspiracy against His Majesty's sacred person. I caused it to be reprinted here and proclamation was issued by advice of the Council for a day of thanksgiving throghout this province before the duplicate from Your Lordp came to hand. This place has suffered much in Trade having lost several considerable ships, but the good success of His Majty's fleet (which we daily pray for) will I hope repay all.—

The sudden departure of His Majty's ships of warr from Virginia does straiten my time so much that I cannot send a copy of all our publick papers—I send a list of the contents of the pacquet sent home by the ship Heathcote.

Brook and Nicoll The Gentlemen of His Majty's Council here Mr Brooke and Mr Nicoll were sent over as agents from this Govern^t to lay the true state of it before His Majty and Your Lordps, they have papers and instructions relating to every minute part of it I do not yet hear of their arrival.

Proprieties evade answers about Assistance I have returned into the Plantation Office Copys of my last application to Connecticut Rhode Island and Pensilvania with their evasive answers.

I have no other forces to depend upon but the four Companys in His Majty's pay consisting of
Recruiting the 4. Compnys 400 men which were much weakened, by death and desertion, I could not think of a better way to keepe them complete in their numbers but by inlisting men for a certain time none lesse than a year, The people in these parts will not list but with the condition of being discharged within a year, two or three according to agreement, if His Majty approve of this way it will save the charge and trouble of recruits from England, but this can hold no longer than the Assembly will allow the fund which they have granted this last sessions of three pounds a man levy money with an advance of four pence a day for one year determining in May 1697. I humbly beg His Majty's pleasure in this matter being necessitated to this expedient by the disappointment I mett from all the neighbouring Colonies from whom I have not been able to obtain a man.—

Remittance from Virginia. Sr Edmund Andros promised the quota appointed from Virginia by her late Majty's letter, but could not effect it, he hath transmitted one thousand pounds New Yorke money towards the alleviating of our charge, it amounts to £769 sh. 4. d 6. sterling, Govr Nicholson of Maryland sent us £133. 8s 7d sterling.

Disturbances on the Frontiers. Several sculking partys of French and Indians disturb the people in their husbandry who live upon the Fronteer, but our Indians do revenge that part with better success upon the French.[1]

[1] These daring Incursions of the Enemy had already called forth the following action on the part of the New-York Government: "*Resolved for the future*, that Six pounds shall be given to each Christian or Indian as a Reward who shall kill a ffrench man or indian Enemy—within three miles of Albany or any other Settled farme in Albany Ulster or Dutchesse Countyes & ordered Proclamaeon issue accordingly." *New-York Council Minutes*, VII., 189. The printed proclamation, dated 11th May, 1696, is in *New-York Colonial Manuscripts*, XL. — Ed.

Four Dutchmen have lost themselves by their own carelessness in venturing after their cattle without arms. I have always thought 500 men necessary to the defence of Albany and Schenectidy ettc, yet I hope with those three companies to justify those places against the French and their Indians, while I can keep His Majᵗʸ's Indians firm in their obedience, to which end I am obliged to make large presents to them least they fall to the french who use all their artifice to debauch them.

Forces need to be 500.

I did humbly address Your Lordᵖˢ for a present from His Majᵗʸ which I hear was ordered, tho' not yet come over, I have since desired 400 light Dutch fusees for those Indians, tho' as strong as horses, will not march under heavy arms.

Presents.

I do again humbly apply myself to Your Lordᵖˢ for them and an annual supply of powder and other stores during the Warr.

Stores.

Having no other forces to depend upon but His Majᵗʸ's four companys, I do earnestly entreat Your Lordships that their subsistance may be punctually paid.

Subsistence

An Association was signed by myself and such of the Council of this Province as were in Town. I have ordered a copy to be transmitted to each county to be signed by the Justices, Sherifs, Freeholders and Farmers. I have ordered an account to be taken of such as shall refuse it, I do not know of ten papists in the province.

Association.

The Richmond Frigat is a great charge and but little use she was ordered to fitt for sea the beginning of March but is not yet a floate; The Captⁿ tells me there is no conveniency in this place for careening a vessel of her burdon, a light and nimble sailor might do service.

Richmd Frigat.

A Pirate lately came into providence (as I am informed where they shared their money left their ship and separated. Many of them came this way and are gone to the neighbouring provinces and Colonies only one remains in this who had given security not to depart without lycence and to live ameanable to the Kings Laws. Their Treasure was Spanish money, they enrich the Charter Governments—I am

Pirate

May it please Your Lordships

Your Lordships most obedient

most dutiful and most humble servant

New York the 30th May 1696.

Ben Fletcher.

Colonel Peter Schuyler to Governor Fletcher.

[New-York Papers, A. B. A8, No. 7.]

To His Excêll. Benj: Fletcher, Capt. Genˡˡ &c

May it please Yoʳ Excellency

Since my last I am obliged to give Yoʳ Excêll an accompt of another man scalpt over against the Patroons Island where were three in all, two of which had no arms and he that had the arms was killed; there hath bin a negro taken from Hobark but hath made his escape back; there hath been eight Mohaks here of the party[1] of 100 men; within these 5 dayes they have kild 2

[1] "that are to Goe for Canada (who came to have their arms fixed) are Going with a party —" follows here in the original of Colonel Schuyler's letter, in *New-York Colonial Manuscripts*, XL. — Ed.

Indians, those Indians that came over last fall, because they distrusted them; so that I do not doubt our Indians will stand true to us. I could wish Yo^{r} Excêll was in the Capacity of raising 40 or 50 men to do no other duty but every day to scoure the woods; if such a thing could be, Abraham Schuyler and Simon Young would make the two fittest persons for Lieu^{ts} in these parts, but being sensible of Yo^{r} Excêll. being straitned, cannot expect it, but must be contented with the hardship we endure, our neighbouring Colonyes being soe unkinde to us. I just now rec^{d} Yo^{r} Excêll. letter and am very sensible of the difficultys you finde in raising of money, neverthelesse I have strained myselfe and have paid my private Centinells and Serjeants their twelve months pay, not doubting but care will be taken for my reimbursement. I shall in all things and on all occasions whatsoever be very ready to discharge my duty for His Majestys service & countreys good & conclude my selfe

Yo^{r} Excêll.

most humble Servant at Command

Albany May 14th 1696. PE: SCHUYLER

A true Copy

(signed) DAVID JAMISON Cl. Concilij.

Governor Fletcher to Governor Treat.

[New-York Papers, A. B. A8, No. 8.]

To Coll: Robert Treate Govern^{r} of Connecticutt Colony &c.

Sir

Our fronteers being much weakened by death and desertion of many of the forces garrisoned there, I have prevaild with the Assembly of this Province to provide a fund for the pay of 120 men being the Quota assigned your Colony by the Royall mandate, yet to make all things easy I desire you to send sixty men to Albany who shall be furnished there with the K^{s} arms and amunicôn victualls lodging and pay and remain in the service one year from their arrivall at Albany and shall have three pound a man paid into their hands at their arrivall, and in case you shall think fitt that they or some of them be releived in a lesser time by others, it shall be granted; provided each of those who are releived before the year be out do returne thirty shillings of the advance money to the man that comes in his room. I wish they may be gott theither some time in May next. It will be a great advantage to your youth of Connecticutt to be taught the use of their arms after the moderne way of his Majestyes army; when these returne they will be able to instruct others. Yo^{r} complyance and care in effecting this matter shall be fairly represented to his Maj^{tye} and acknowledged a mark of yo^{r} regard to his service by Yo^{r}

Freind & Servant

April 20. 1696. BEN: FLETCHER

A true Copy

(signed) DAVID JAMISON Cl. Concilij.

Governor and Assembly of Connecticut to Governor Fletcher.

[New-York Papers, A. B. A 8. 8.]

Hartford May 22. 1696.

Excellent Sir

Yo^{rs} of the 20th of Aprill 1696 and May y^{e} 11th instant are now before us, which we have considered, and we do acknowledge that our loyalty to His Majestys interest doth oblidge us to do our utmost to prevent any damage that may happen thereunto, and therefore in answer to Yo^{rs} we have concluded to send a Cap^{t} and Lieu^{t} with 58 men to Albany to joyne wth yo^{r} forces and the other quotas of our neighbour Colonies do defend his Maj^{tyes} good subjects there, and shall commicônate our Cap^{t} and Lieu^{t} to lead and conduct our men to Albany and to receive Yo^{r} Excêll: further commands in order to repelling the enemy; Yo^{r} Excellency according to your letter paying them their wages and finding them arms ammunition & provision suitable for them; and we desire you would order their arms ammunicôn and provision to Milford, that so they may be in a readynesse for our souldiers to march with and at that same place where our soldiers receive them, we shall order them to be returned. Sir our Generall Assembly hath agreed that our men shall be with you for the defence of Albany and expulse of the common enemy till the last of October next unlesse we be invaded in the mean time and want them at home, and we shall forthwith raise and provide our Officers & soldiers to be ready to march when we receive Yo^{r} Excêll. compliance with these lines of ours and yo^{r} direcón therein, which we shall endeavour with all due readynesse to attend, who are Yo^{r} humble Servants, the Govern^{r} & Generall Assembly of the Colony of Connecticutt.

By Order of the Govern^{r} & Generall Assembly

ELEAZ: KIMBERLY Secret^{y}

A true Copy

(signed) DAVID JAMISON Cl. Concilij.

[ELEAZER KIMBERLY succeeded John Allen, this year, as Secretary of the colony of Connecticut, and held the office until 1709. *Trumbull's History of Connecticut*, I., 395, 434, 487.—ED.]

The Governor and Council of New-York to the Governor of Connecticut.

[[New-York Papers, A. B. A. 8. No. 9.]

Gentlemen.

His Excellency having rec^{d} Yo^{r} letter of the 22th instant did communicate it to the Council who finding it to be no answer to his Excêll. last letter but an evasion, have ordered me to acquaint you thereof, and that they are sorry to finde you so forgetfull of yo^{r} duty as to trifle in an affair which concerns his Ma^{tyes} interest and yo^{r} own preservation in a time when more than ordinary testimony and expression of affection to his Ma^{tye} & government is called for, from all his loving subjects. His Excêll: letter is plain and free from mistery; he expects the like answer from you, and that you will order the men to march to Albany at the charge of yo^{r} Colony, where his Excêll: will performe what he has proposed on his part. His Excell:

will finde them Officers; his Excèll. commission for the militia of yo^{r} Colony is not repealed, the power of appointing officers is solely lodged in him.

By order of His Excêll, the
Governour & Council
DAVID JAMISON Cl. Concilij

N. York
May 26th 1696

For His Maj^{tyes} Service
To Coll. Rob^{t} Treate Gov^{r}
of Connecticutt. &^{c}

A true Copy
(signed) DAVID JAMISON Cl. Concilij.

Governor and Council of Connecticut to Governor Fletcher.

[New-York Papers, A. B. A 8, No. 9.]

Hartford May 30th 1696.

Excellent Sir.

Yours and Yo^{r} honored Councils letter bearing date the 26th Instant to our Governour hath been read in Council whereby we understand yo^{r} dissatisfaccón at our Generall Court's letter of the 22th instant, which we conceive proceeds from want of charitable and right understanding thereof. Their intent was to send yo^{r} Excèll: a rationall and plain answer to yo^{r} former letter, and such as might manifest their loyalty to his Majestyes interest and command, and also as much as might be, a complying with your own propositions in yo^{r} letters, wherein yo^{r} Excèll: informed you would furnish our men with arms, and to them it seemed rationall that their arms should be conveyed to some convenient place that our men might receive them to march with them through the woods, for their defence, where you cannot but expect they may be alarmed in their travell. Also it seemed most for His Majestyes interest that our soldiers should have such Officers over them as do proceed from among our selves, for we hope that we have men fitted with skill and dexterity to command against such ennemyes as do molest His Maj^{tyes} good subjects in these parts, and if our soldiers have officers that they know and are acquainted with and bear love to, they will be more free to attend the service and will be more forward and couragious in venturing them selves with their Officers in repelling the enemy, and is such a reasonable thing that we do not doubt but his Maj^{ty} would well approve of it and would graciously grant our soldiers such an incouragement. But if yo^{r} Excèll: see not cause to concede with us in this matter, you will find our soldiers very unwilling to march to Albany when they come to Albany both officers and soldiers were ordered to attend yo^{r} Excèll. direccón and further order which we do conceive is rationall on our parts. S^{r} we do not desire to elude or be misterious in our letters, neither do we say your commission is repealed, yet we know it is restrained, and thereofore desire yo^{r} Excèll: & Council to be charitable towards us who do intend sincerely the service of his Majesty and defence of his good subjects according to our power and do depend upon yo^{r} Excèll: furnishing our Officers and soldiers with arms and ammunition and suitable provision & pay you may remember that in yo^{r} former letter

you appointed us to order Capt. and 2 Lieuts and two drummers &c for on company, ye desired us to send to Albany, which makes us to wonder and be a little startled at what you say in Yor Excell. & Council's letter now, that you will finde our souldiers Officers. Sir you do not mention to us any of our neighbour Colonies quota's that you have summoned and are ready to joyne with ours in his Matys service there, which we did expect. Sir we shall not enlarge; we have said what is with us, and if yor Excell. do not see cause to accept of our proposalls we leave it to yor further consideracôn and rest.

Your humble Servants
The Governr & Council of His
Maties Colony of Connecticutt
By Order

A true Copy ELEAZr KIMBERLY Cl. Concilij
(signed) DAVID JAMISON Cl. Concilij.

Governor Fletcher to Governor Clark.

[New-York Papers, A. B. A 8. No. 10.]

April 24th 1696.

Sir.

I have formerly at sundry times made applicacôn to yor predecessour the Govr of Rd Island for the quota of assistance assigned in the Royall mandate, from that Province, being 48 men, for the defence of the fronteers of this, and have not prvailed to gett so much as one man nor any oyr assistance, the copys of the severall answers I received were transmitted to the Plantation Office to be laid before his Matye and hearing of yor comeing to the Government, I was apt to expect a more dutifull complyance to the royall commands; but to make things as easy as may be, I desire you to send 48 men or such number of them as you can gett, at the charge of your government to New Yorke, and I will furnish them with the Ks arms and ammunition victuals lodgings & pay, and they shall remaine in the service upon the fronteers one year from their arrivall at New Yorke and shall have £3. a man levey money pd into their hands at their arriveall. If possible let them be here the later end of May or beginning of June next; it will be an advantage to yor youth to learn the use of their arms after the moderne way of his Majtyes army. Your complyance and care in effecting this shall be fairly reprsented to his Matye as a marke of yor true respect to his service by, Sir,

Your freind & Servant
BEN: FLETCHER

To Walter Clarke Esqr[1]
Governr of Road Island
& Providence Plantations

A true Copy
(signed) DAVID JAMISON Cl. Concilij.

[1] WALTER CLARKE was Governor of Rhode Island in 1686, when the Charter was suspended by Sir E. Andros. He filled the same office, again, from 1696 to 1698. *Collections of the Rhode Island Historical Society*, IV., 269. — ED.

Governor Clark to Governor Fletcher.

[New-York Papers, A. B. A 8. No. 10.]

Newport, Road Island May
the 14th 1696.

Esteemed.

Yor lines bearing date from New Yorke April the 22d 1696 I received, and haveing represented them to his Majtyes Generall Assembly sitting at Newport May ye 6th 1696. upon perusall thereof we take notice that yor Excellency is pleased, as you say, haveing made application according to the Royall mandate, for fourty eight men, and that for the defence of the fronteers of New Yorke, and have not prevaled so much as to get one man or any other assistance; signifyinge also that the copyes of the severall answers you received were transmitted to the Plantation Office to be laid before his Maty; and further signifying that you hearing I was come to the Government you were apt to expect a more dutifull compliance to the royall command, but never the less to make things as easy as may be you are free to take up with easier propositions as are more largely incerted in yor Excellencies letter. In answer whereunto I reply that forasmuch as those answers of ours are transmitted to the Plantation Office for His Majtyes determination we humbly are ready to submitt there unto, beleeving that our Kings Majestie requires no impossibilities of any of his subjects, and for a further manifestacón heareof we take notice that her late Matie in said Royall mandate doth declare that if the Governour or Comander in Cheif draw of any forces in the time of invasion for suport of the interest, he should not leave the Colony unprovided from whence the forces are drawn. We are not unwilling but always ready to serve his Maty wth our persons & estates, but this his Maties Colony by reason of the government of the Province of the Massachusets detaining several townes from us, being a considerable part of the Colony incapacits us, so that if we part with any men, it may be the overthrow not only of this Colony but indanger the rest of the Colonies & Provinces for those reasons followinge:—In the first place we have three inletts that no forts can be erected to annoy the enemye lying neer 40 miles fronting upon the Otian, and also in moderate seasons they may land almost in any part of the governmt; so that the greatest security consists in suitable numbers of forces to watch their mocôn at the severall suspected places; so that wee finde our all, if atact, is to little for the defence of our frontere, laying in as much danger of the enemie as any of his Majties governments in America. I hope you need not question but as formerly we have alwayes held a good correspondency betwixt this His Majesties government and his government of New Yorke; we shall use our utmost endeavor to promote the same and in obedience to his Majesty be ready to serve you.

Walter Clark Govr

Since the writeing of the above premised, one of the 12th instant arrived here one Capt. Loverell from Jamaica a privett man of warr of six gunns 102 men bound for the Coast of Canida; he commanded with him one small shipp which he took of the Coast of Cuba, the mariners leaving her as was suspected, being neare land found no person in her by reason of the foggs laye long of & on this coast, soe that they were very suspitious to be enimies, which occasioned some trouble, but sending out a boate of 20 men was discovered and made knowne to us and are both come into our harbour of Newport endeavering for a pilate with intent to

proceed as premised. This I thought needful to give a notion of,[1] being a general concerne, and as we should gladly receive in the like case. Heare being nothing more of novelty to communicate I take leave with dew respects and remaine in any office of love to my power

WALTER CLARK Gov^r

Newport this 15^th^ of May 1696.
For His Majesties Service
To Benjamin Fletcher Esq^r
Cap^t Generall & Commander
in Cheife of His Majesties
Province of New Yorke &^ca^

A true Copy
signed DAVID JAMISON Cl. Concilij.

Governor Fletcher to Mr. Blathwayte.

[New-York Entries, A. 22.]

Sir

I am honoured by your's of March 14. which with that from the Lords of Council came to me by express from Virginia on the 25^th^ of May — I immediately ordered the Military expressions of joy for His Maj^ty's^ safety, then summon'd the Council, a publick day of thanksgiving was ordered by proclamation and an Association signed, copies drawn and sent into the several Counties and Towns as also to our little Garrisons on the frontiers. His Maj^ty^ hath a small handfull of loyall subjects in this Province we have not ten Papists in it and those of no ranke or fortune— .

So many pacquets from hence have sucessively miscarried that I scarce know where to begin, what I have to say, I must imploy hands to coppy what is material if any thing can be call'd so that comes from hence.

Remittance from Virginia. Sir Edmond Andros from Virginia has sent us Bills for one thousand pounds to our Assistance; Men which we want more, he could not send; The disposition of that money will be return'd in our accounts to the lords of the Committee and those of the Treasury. As to my own part I have never touched one farthing of the money either raised in the Province or given by our neighbours for its defence and their own, but signed warrants by advice of the Councill for such payments as they thinke indispensably necessary to the common good. This £1000 only amounts to 769£ 4sh: 6 pence sterling. Here we love a great sound and noise, but the substance does not answer.

Remtitaance from Maryland Governour Nicholson of Maryland has sent us 133£ 8sh: 7 pence sterling.

No assistance from Pensilvania & Rhode Islands Pensilvania neither one man nor one penny Connecticut the same and so Rhode Island. Such letters I never received as from those two last what they write lookes like English yet I cannot find out their meaning. This regard has been paid to Her late Maj^ty's^ letters, and they pretend to justifye themselves by making their own constructions of those Royal Commands.

[1] "aNitom of," *New-York Colonial Manuscripts*, XL. — ED.

The Indians tho' monsters want not sence but plainly see we are not united, and it is apparent the stronger these Colonys grow in parts, the weaker we are in the whole, every little Government setting up for despotick power, and allowing no appeal to the Crown, but valuing themselves upon their own strength and a little Juggling will in defeating all commands and injunctions from the King I send all their answers to my applications for Assistance.

Weakness by division of Colonies

The French Indians this spring have destroi'd some careless people nigh our garrisons of which you have an account with this. They are wolves, ley so close, no man can discover them, a hare sitting is much easier found in England; The parties I send daily out, they lett pass (lurking close) but if a naked man, woman or child pass they kill them or take them. Our Indians act the same part and with greater success on the French plantations —

Indians troublesome

No assistance comeing from our neighbour Colonies, I could finde no way to secure this province but by endeavouring to keep up the fower companys to their number (after some deaths and dissertions which had much weaken'd them) I were forced to inlist men for one year or more (for no man here will be a souldier for life) By this way I have compleated the companys, and have three hundred effective men on the frontiers, one hundred in this Fort; This way is not practized in England, but abroad in Holland and France it has been usual if His Maj^{ty} please to allow of this method; the companys here will always be compleat, and save the charge and trouble of recruits from England. The Assembly have given some incouragement to it, allowing levy money and some advance of pay, for one year the bill will be sent by the next opportunity; The ships from Virginia being ready to sayle and a land post staying for these letters it cannot be engrossed timely.

Recruiting the 4. Companies

Richmd Frigat

The Richmond Frigat is a great charge and of no use. Her upper worke very crazy; ordered to sea the beginning of March, but yet not afloat.

Sir, I doubt these papers may miss a passage, dare hold you no longer from your more weighty affairs. I humbly kiss your hands and acknowledg all your favours and shall never alter from being.

Sir,

Your most humble faithful and
most obedient servant
BEN. FLETCHER.

New York May 30th 1696

Governor Fletcher to the Lords of Trade.

[New-York Entries, A., 6.]

Collonell Fletchers letter to the Lords of the late Committee of Trade and Planta^{tns}

May it please your Lordships.

Since my last addresse to your Lordships may 30th I received an answer to my application for Assistance from Pensilvania in a letter from that Governor and the draught of a bill whereof copies are herewith transmitted.

Pensilvania.

Your Lordships will perceive these people have as little regard for the interest of their

New Modell of Government. proprietor Mr Penn as they have for His Majtys service and are endeavouring to erect a new modell of Government of their own invention and by their own Authority.

The town of Philadelphia in fourteen years time is become near equal to the City of New Yorke in trade and riches, the hardships that this province hath undergone in the defence of the Frontiers and the detaching of our people hath drove many of them thither to enjoy their ease, and there being no duty upon trade in that Colony it is a discouragement to the trade of this province whose inhabitants are left wholly to bear the burthen of the Warr, whilst they grow by the hardships of our circumstances and derive all their protection from our forces.

People desert New York and go to the proprieties.

The Council and present Assembly of this province are willing to [the utmost of] their power to do, for the preservation of it, their greatest discouragement is, the inequality of their circumstances with that of their neighbours of Pensilvania the Jersys and Connecticut, who are all free from duty and were formerly part of this province; I found in the two companies that came last from England two Frenchmen, Charles Moreill and James Wood, Roman Catholicks; I could not trust them at Albany lest they should correspond with their countrymen of Canada, and this being the first opportunity, I now send them by the ship Beaver, that they may be exchanged or disposed of as his Majty shall think fitt.

Frenchmen returned.

Two Gentlemen of the Council of this Province Mr Brooke and Mr Nicoll who were appointed to attend His Majty and your Lordships are taken into France and have lost all their papers and instructions; I have now transmitted copies if they are come to England they will give Your Lordps an account of every minute affair of the Province and will attend your Lordships pleasure.

Brook & Nicoll.

May it please your Lordships.

I just now received an answer from Connecticutt to my application for assistance; the copy whereof are also transmitted. Your Lordps will see, there is nothing to be got from them but words. I did apply to them last winter, for a company at their own charge, leaving them to nominate their own Officers which they evaded; I have since desired only sixty men for one year to fill up the companys, I proferred three pounds a man levy money, Arms Ammunition victuals and pay, their Assembly men offer fifty eight men a Captn & Lieutt for four months, unless they see cause to call them home sooner, provided I send first into their Country the arms and provisions and perform all what I proferred with pay for their Officers which would be very chargeable and cannot be performed having no fund to pay the Officers or answer that charge. I have no encouragement to believe them having met so many evasions and dissappointments, whilst I made this application I used other endevours and have recruited the companys; I shall not be wanting with the forces I have to secure the Garrisons and preserve the people settle[d] there, to my utmost power, am nevertheless still of opinion that 500 men is the least number requisite for a sufficient security to these frontiers.

Connecticut refuse assistance.

The forces need to be 500.

There are several Quakers in the City of New Yorke from a pretence of tendernesse of conscience and aversion to the carnall weapon will not signe the Association nor take an oath. I have given orders to release them.

Quakers

Roman-Catholicks I have transmitted to your Lord[ps] a list of the Roman Catholicks, and reputed Papists in New Yorke who are all disarmed and obliged to give bond with surety for their good behaviour or be confined in prison — I am

May it please your Lordships
Your Lordships most obedient most
New Yorke dutiful and most humble servant
the 10th of June 1696. BEN: FLETCHER.

Governor Fletcher to the Lords of Trade.

[New-York Entries, A. 9.]

Coll: Fletchers letter to the lords of the late Committee of Trade ettc.

May it please Your Lordships—

The desertion from the Companys and recruits sent last from England was encouraged by the great wages given to labourers in the neighbouring Colonies where the people protected and concealed them pretending charity least they should be put to death, whereupon I issued forth proclamation promising pardon to such as should returne to their respective garrisons at a certain time, and did assure the Governour of Connecticutt by my letter that such should be pardoned that he sent back or that return'd voluntarily, whereupon severall were returned and some came of themselves

Occasion of desertions

The 10th of January last at Schennectidy being the advance garrison of this province to the French and their Indians, the whole guard deserted in the night and marched off with their arms. — Lieut[t] Bickford the Officer that Commanded there pursued them about twenty miles kill'd some, and made all the rest prisoners who being tryed at Court Martiall were all condemned to dye and one of them suffered, the rest being very penitent, and considering the scarcity of men in this Country, upon the petition of the men and Officers I did thinke it for His Maj[ty's] service to let them partake of his mercy which I hope his Maj[ty] will approve of — The copy of the Lieutenant's letter to me and all the papers and proceedings are herewith transmitted to your Lordships, there has happened no des[ert]tion since — I am

Desertion at Schenectidy.

May it please Your Lordships.
Your Lordships most obedient, most
dutyfull and most humble servant
New Yorke June the 10th 1696. BEN: FLETCHER.

Lieutenant Bickford to Governor Fletcher.

[New-York Papers, A. B. A 8. No. 4.]

May it please Yo^{r} Excellency.

I thought it my duty to acquaint Yo^{r} Excêll. of what hath happened here this winter; on the 10th of January about 12 of the Clock at night deserted the whole guard, except one, & others to the number of sixteen broak through the north west Blockhouse next the water side. They drew the g^{t} guns of both powder and shott: About two in the morning I went to visite the guard but found none. I immediatly sent express to Coll. Richard Ingoldesby and pursued them my selfe with ten of the inhabitants and elevin Soldiers, but was forced to leave the Serjeant with seven redcoats in the wood, being not able to march as the expedicôn required. There lay a little snow and they keeping a path all night I followed on their tracts, but assoon as it was day they left the path and steerd by the sunn. About 4 a clocke in the afternoone I came up with them being within two pikes length before I discovered my selfe. I commanded them to lay down their arms; they returned no answer, but with presented musketts, but having the advantage of being presented at them, made the first fire, with which two or three fell; the rest immediatly fired briskly on us, and we on them for a considerable time, during which I still call'd on them to lay down their arms, and that there was another party near them; but they still held out firing till seven of them lay on the ground and then the rest surrendered; whereof five are dead and the other two not yet recovered of their wounds. I had my party sworne by order of Coll Richard Ingoldesby before Capt Sanders Glenn Justice of the Peace, to satisfy Yo^{r} Excêll. of what I said to those deserters both before and in the accôn; the which have sent Yo^{r} Excêll. inclosed, and [I] had them so advantagiously posted that God be thanked none were shott or wounded.

Here is a strong and regular Fort built by the inhabitants with foot works and a stone magazine fitt for this garrison. Here has been no noise from the enemy this winter, which is all I have to trouble Yo^{r} Excêll: with at present, only my humble duty to Yo^{r} Excêll: and my Lady. I am, Yo^{r} Excêll. fatihfull obedient servant whilst

Schennectide. y^{e} March 9$\frac{5}{0}$. ABR: BICKFORD

To His Excêll: Ben.
Fletcher Capt. Gen^{ll} &^{c}

A true Copy
(Signed) DAVID JAMISON Cl. Concilij

Affidavit of Lieutenant Bickford's Men.

At Schenectide the 14th day of March 169$\frac{5}{0}$. appeared before me Johannes Sanders Glenn Justice of the Peace Harmen Van Slyck Ensigne of the trained bands of Schenectide and Gerryt Simons, Peter Symons, Albert Veder, Gerryt Gylbert[1] Jan Daniels, Dirck Groot, Jonas de Roy, John Vemp,[2] Daniel Mutchcraft,[3] Thomas Smith, Christian Janse, & Willian Nelson; who declare that when they were in pursuite with Lieu^{t} Abraham Beckford after those sixteen recruites that deserted the Garrrison at Schennectide on the tenth of January 169$\frac{5}{0}$ at night,

[1] Gerrat Gysbard. *New-York Colonial Manuscripts*, XL. — ED. [2] John Wemp. *Ib.* [3] Matchcraft. *Ib.*

belonging to Capt. James Weems and Capt. William Hydes Company, that the said Lieu^{t} Abr: Beckford comeing up very neer the s^{d} deserters with his party, commanded the said deserters immediately to lay down their arms, who returned no answer but forthwith p^{r}sented their musketts. Whereupon the said Lieu^{t} Beckford & party fired upon the said deserters, they immediately fired upon the s^{d} Lieu^{t} and party againe, during a considerable time on both sides; the s^{d} Lieu^{t} Beckford still calling to the said deserters to lay down their arms, but gave no answer till seaven of them was dead and wounded, and then the rest surrendered themselves prisoners.

John Daniels
John Wemp.
Gerryt Gylbert

Thes three have taken their Corporall oaths to all abovementioned.

Harman Van Slyck	Tho. Smith.	These ten have likewise taken their oaths corporall that they heard the s^{d} Lieu^{t} Beckford. call to the said deserters to lay down their arms, before he fired upon them & in the accon, but the said deserters still held out, firing at the said Lieu^{t} Beckford & party, till seven of them were dead & wounded.
Gerryt Simons	Christian Janse	
Dirck Groot	Will^{m} Nelson	
John De Roy	Albert Veader	
Dan^{l} Mutchcraft	Peter Symonds	

This is to satisfy[1] that the above mentioned is sworn before me the 14th of March 169$\frac{5}{6}$.

JOHANNES SANDERSE Justice.

A true Copy
(signed) DAVID JAMISON Cl. Concilij.

Minutes of the Court Martial on the Schenectady Deserters.

[New-York Papers, A. B. A.S. No. 5.]

At a Court Martial holden at His Ma^{tyes} Fort the 21st of April 1696.

PRESENT—Coll: Rich^{d} Ingoldesby. President.
Capt. James Weems.
Capt. William Hyde.
Lieu^{t} Matthew Shanks.
Lieu^{t} John Riggs.
Lieu^{t} Daniel Hunt.
Lieu^{t} Roger Wright
Lieu^{t} Simon Young.

Lieu^{t} Abraham Beckford complaineth & informeth this Honourable Court that William Simson, John Yorke, Thomas Cool, Hezekiah Hawkins, Samuel Wright, Thomas Parker, & William Jones, private centinells in the company commanded by Capt James Weems & Jacob Kneiffe, James Williams, John Stewart, Edward Andros, John Osmond, Thomas Clattery, David Jones, Edward Wilcock and James Fine in the Company commanded by Capt. William Hyde being upon duty in his Maj^{tyes} garrison of Schenectidy for the security and defence thereof against his Majestyes enemyes the French &^{c} did on the tenth of January last about twelve a clock at night desert and run away from the aforesaid garrison in the dangerous time of the ennemyes approach, by breaking thorow the North West Blockhouse

[1] testifie. *New-York Colonial Manuscripts*—ED.

and drawing the great guns of both powder & shott, (part of them having charge of s^{d} Blockhouse) that night being the cheife guard of the garrison. The s^{d} Lieu^{t} Beckford about 2 a Clock in the morning finding the garrison deserted sent immediately expresse to the Hon^{ble} Coll. Richard Ingoldesby at Albany, the s^{d} Lieu^{t} Beckford pursueing the s^{d} deserters one John Danielse John Wemp and Gerryt Gylbertse[1] and severall others to the number of thirteene the said Lieu^{t} Beckford & party about 4 a Clock in the afternoone overtook the s^{d} deserters who immediatly commanded them to lay down their arms, they returned no answer but forthwith p^{r}sented their musketts, the s^{d} Lieu^{t} Beckford & party having the advantage of being p^{r}esented fired first at the said deserters, wherewith 2 or 3 fell, the rest immediatly fired on the s^{d} Lieu^{t} & party during a considerable time the said L^{t} Beckford still called to them to lay down their arms, but the said deserters made no answer till seven of them were dead & wounded, then the rest surrender themselves prisoners.

The said Lieu^{t} Beckford craveth the judgement of this Court and that the delinquents may be proceeded against according to the articles of warr in that case made & provided

The Answer of the afore mentioned prisoners in their defence to the complaint of L^{t} Abraham Beckford. the 21st day of April 1696.

Thomas Clattery being brought before the Court Martiall was asked what he had to say in his defence saith that he was ignorant of the penalty of the articles of warr, being a young man, but owns that they were severall times read to him, & was deluded by others that deserted with him, but intended for Albany towards night to submitt himselfe for pardon; so gives himselfe to the mercy of the Court Martiall and further saith not.

John Osmond being brought before the Court Martial was asked what he had to say in his defence, acknowledgeth that he deserted; the occasion was because his own Officer was commanded from the fronteer of Schennectady, & further saith not.

William Simson being brought before the Court Martial was asked, what he had to say in his defence acknowledgeth that he deserted by reason of a new officer sent to that garrison and that he was continually threatned by him & once struck; further saith not.

John Broosse makes oath that the s^{d} William Simson said if his piece had gone off he would certainly have killed Lieu^{t} Beckford.

John Yorke being brought before the Court Martial was asked what he had to say in his defence did acknowledge that he deserted but knew nothing of the intent till about halfe an hour before they went, the cheife occasion was by reason of the Officers unkindnesse, but owns that his officer never struck or punished him.

James Williams being brought before the Court Martial and was asked what he had to say in his defence doth acknowledge that he deserted by reason that he had been hardly dealt with by his officer and received severall stroaks from him with a stick when engaged in a quarrell with his fellow soldiers in the garrison, and likewise that the inhabitants were very uncivill to him in calling him severall bad names, and that he had bad incouragement from the Officer when he first came to them at Schennectady in threatening to punish them severely if they robbed or plundered the inhabitants, and further saith not.

Jacob Kneiffe being brought before the Court Martiall and was asked what he had to say in his defence, doth acknowledge that he deserted by reason that his own Officer was

[1] Gysbertse. *New-York Colonial Manuscripts*, XL. — Ed.

commanded from them & that the inhabitants were very unkind to him in calling them English doggs, & further saith not.

Hezekiah Hawkins brought before the Court Martial & was asked what he had to say in his defence, doth acknowledge that he deserted and was perswaded thereunto by the others that deserted with him who now are killed, & was unkindly used by Lieu[t] Beckford, but never was struck or punished by him.

Thomas Cool being brought before the Court Martial and was asked what he had to say in his defence, doth acknowledge that he deserted by reason that Lieu[t] Beckford was severe towards him, though never punished or struck, & that the inhabitants were unkinde & uncivill by calling them English doggs.

David Jones being brought before the Court Martial and was asked what he had to say in his defence, saith the reason of his deserting was because his officer was commanded from thence & the new Officer sent severe towards them in threatning if they abused the inhabitants to punish them, but acknowledges that he has committed a fault & is very sorry for his crime.

John Stewart being brought before the Court Martiall was asked what he had to say in his defence, saith that the reason of his deserting was, the occasion of having a strange officer to command them, who was very cruell to him and abused him and caused him to be whipt by the Company for nothing.

In answer to which Lieu[t] Abraham Beckford sayeth that the aforesaid John Stewart was a great thiefe which severall of the garrison could justify and that was the reason of his being punished and also that he was out of the garrison at unseasonable time of night committing of robbery and was discovered by him that was upon sentry.

James Pappy, Serjeant, complaineth & informeth this honourable Court that about Septemb[r] last one Thomas Mebe belonging to Capt. William Hydes Company deserted from His Ma[ty]es fronteer at Albany towards New England & about the first of January last was taken up by some of the country & brought into a place called Hartford and there delivered to his said Capt: afterwards deserted from him the 2[ud] time & brought up to him again to Wether[s]feild

Thomas Mebe being brought before the Court Martiall was asked what he had to say in his defence saith that he deserted but was deluded by others that deserted with him, doth therefore crave the favour of the Court Martiall.

Charles Oliver complaineth and informeth this Hon[ble] Court that about September last one Rich[d] Waters belonging to Capt. Hydes Company deserted from His Ma[ty]es fronteer at Albany and was taken & brought back in 5 or 6 dayes after, about a mile from said garrison.

Richard Waters being brought to the Court Martiall and was askt what he had to say in his defence doth acknowledge that he deserted and was tempted by the Divell & lost himselfe in the woods & had a designe for New England, but wished himself back to the garrison again, & is verry sorry for the fault he has committed and prays the Court will be favourable to him.

The Court having considered the whole matter and it is the unanimous opinion of the Court, who respectively were asked, that the aforesaid prisoners were really guilty of desertion & mutiny and that according to the article of Warr they ought suffer death but do humbly desire of the President that they may be shott like souldiers, being the most customary in the Army.

It is therefore sentenced that they all shall goe from whence they came and from thence to the place of execution where they shall be shott to death: so God have mercy upon their souls

Rich[d] Ingoldesby.

A true Copy
(signed) David Jamison Cl. Concilij.

Governor Fletcher to Mr. Blathwayte.

[New-York Entries, A. 40.]

Letter from Coll: Fletcher to Mr Blathwayt dated the 13th of July 1696.

Sir

Hearing of an opportunity by Boston, so many Packets and Letters being miscarried I thought fitt this [time to] run the venture of giving you the account; I have sent two large packets to you at Whitehall and directed one on board each of the ships of war who were to saile from Virginia the beginning of this month. Inclosed is the Association signed by all the inhabitants of the City of New Yorke, those from the Counties are not yet finished and returned; there is also an address of congratulation from the Council of this Province who were very hearty to joyne with me in appointing a day of thanksgiving for the great and happy deliverance of His Majty and his Kingdom of England which was cheerfully observed throughout the Govern[t]; duplicates of instructions and papers sent home by Mr Brooke and Mr Nicolls and many other publick papers and letters that were lost.

He has sent two packets by Virginia

Account of what they contained

By the supply the Assembly gave, I am enabled to recruite the companyes for one year which if continued from year to year will save the charge and trouble of sending recruits from England. The three companies is all I now depend upon on the Frontiers. I have not procured one man from the neighbouring Colonies; 500 in my opinion is the least number requisite to serve the fronteers.

He is enabled to recruit the compys for one year

No assistance from the neighbouring Colonies.

The Wessell sent from Plymouth hither with His Majesty's Royall Commands is taken on our coast and the packett sunk which is a great trouble to me. By some chance letters from private friends, I understand Mr Livingston hath exhibited an information against me, I cannot know the particulars but hope Their Lordships will be so favourable not to credit him until I be heard.

He justifies himself agst Mr Livingston's accusation.

I have all the Gentlemen in the Councill and all the honest men in the Govern[t] ready to vouch for my behaviour. Since I came amongst them I never meddled with a farthing publick money nor disposed of any but by advice, and consent of the Council who were always Judges of the several uses. His Brother in law Coll: Cortland is ready to testify that I ow'd him not a farthing when he left this place. I have several times advanced to him money for victualing the companyes before it was due particularly at parting

Some publick money that were raised by an additional duty for payment of debts contracted before my arrival here, were made use of by advice of the Council to answer some emergencys as the charge of an expedition to the Fronteers in the month of Febry 169$\frac{3}{4}$ when the French had invaded our Indian Country and burn'd their Castles ettc and the Assembly now in their last session have taken care to refund this money by continuing the same duty.

It is to be seen under his own hand that if every Governor had paid him as well as I, it had been a Thousand pounds in his way. I hope Mr Brooke and Mr Nicolls are come to England they are able to vindicate me against any thing what may be objected from any in this province, and are ordered to attend His Majty and their Lordships to give the true state and circumstances of affairs here. I am

Sir

Your most humble and most

obedient servant

New Yorke the 13th of July 1696. Ben Fletcher

Names of the Roman Catholics in the City of New-York; June, 1696.

[New-York Papers, A. B. A 8. No. 2.]

By His Excellency the Captain Generall and Governour of New York &c

You are hereby forthwith required to returne unto me in writeing a list of all the Roman Catholicks or such as are reputed Papists within the City of New Yorke undr yor hand. Given at His Matys Fort at New Yorke the 13th day of June 1696.

(signed) Ben: Fletcher.

To Major William Merritt
Mayor of the City of New Yorke

By His Excell: Command
(signed) David Jamison. Cl. Concily

In obedience to Yor Excêll. Comds I doe retourne a List of the Roman Catholicks in the Citty of New Yorke, which are: —

Majr Anthony Brockholes.	Peter Cavileir	John Fenny.
Mr Thomas Howarding	John Cooly.	Phillip Cunningham
Mr William Duglas	John Patte	
John Caveleir	Christiane Lowrence	(signed) Pr Will. Merrett Mayr

Order in Council referring certain Papers back to the Lords of Trade.

[New-York Papers, VI. A. No. 1.]

Att the Councill Chamber in Whitehall the 20th day of August 1696.

Present — Their Excellencies the Lords Justices in Councill.

Upon reading this day att the Board the annexed Report from the Councill of Trade relating to the present state of ye Plantations together with a Memoriall of Chidley Brooke and William Nicoll Agents from the Governour Councill and Assembly of His Majties Province of New Yorke, concerning the present condition of that Province. It is this day ordered by their Excellencies the Lords Justices in Councill that the said Report be transmitted back to the Councill of Trade, as also the said Memoriall for their consideration of the whole matter, and to report their Opinion what may be fittly done therein.

Wm Bridgeman.

Report of the Lords of Trade.

To their Excellencies the Lords Justices

May it please Your Excellencies

A Paper relating to the present State of his Majesty's Plantations in the Northern parts of America (whereof a Copy is hereunto annexed) having been communicated to us on Friday

last by His Grace the Duke of Shrewsbury at the Board of His Majestie's Commission for Trade and Plantations; And we judging that the matter contained in that Paper is of great importance and may possibly require something more speedily to be done in it than the yet unsettled state of our office (unfurnished with and hitherto even unprepared to receive those necessary helps that belong unto it) capacitates us to deliberate upon and represent; Do therefore humbly beg leave to lay it before Your Excellencies that such order may be taken in so weighty and urgent an occasion as unto Your Excellencies great wisdom shall seem necessary and expedient

J. Bridgewater
Will. Trumbull
Cha. Montague
Ph. Meadows
John Locke
Abr. Hill

From our office at Whitehall
July the 7th 1696.

Mr. Pilsworth's Report on matters relating to New-York.

About the middle of March 169$\frac{5}{6}$ I was frequently coversant with Sir Thomas Lawrence at his Lodging at the Standing Wardrobe in Whitehall and because he was appointed His Majesty's Secretary for the Colony of Maryland in the West Indies I acquainted him with an Information that I had received from a friend of mine of a designe the French had form'd against the English Colonies in America he desir'd (if it was possible) that he might speak with my friend that gave me the account if he was in England, I told him he was in England and would continue here about a fortnight that during his stay here I would perswade him to come to him, this I effected, he came to Sir Thomas, and after he had given him some account of the Affair, acquainted him that if I would go to Amsterdam, I should be directed to those who would confirm the account he gave. Sir Thomas Lawrence then applied himself to Sir John Lowther of Lowther and desired him that he would be pleased to acquaint the King with it which he did, I was then desired by Sir Thomas Lawrence to wait upon Sir John Lowther, who, when I attended him at his house in Saint James' Street acquainted me that he had orders to bring me to My Lord Portland, and that if I would go to Amsterdam, my Lord would write a letter of recommendation to a person that would assist me in any thing I should desire towards the discovery of this designe. I then waited upon Sir John Lowther according to his order at the house of Commons and he then presented me to the Right Honourable the Earl of Portland, who was walking in the Court of Requests, My Lord Portland then appointed me to wait upon him in two or three days either at Kensington or at Whitehall, and a letter should be ready for me. Upon Tuesday April 7. O. S. I received a letter from My Lord Portland's Secretary directed to the Honourable Mr Wilsen Burgomaster of the Stadt of Amsterdam. Upon Fryday April 10. O. S. I received by My Lord's order a Pass from My Lord Secretary Shrewsbury's Office to go over into Holland and to returne. Upon Wednesday April 15 O. S. I went for Harwich and waited for a winde till April 22 I then went on board the Eagle pacquet boat, and arrived at Helvoet Sluijs about nine of the clock. Fryday morning April 24th O. S. I sett forward thence directly for Amsterdam where I arrived upon Saturday May 5 N. S. in the Evening. Upon Sunday Morning May 6 N. S. I waited upon Burgomaster Wilsen and delivered to him the letter I brought from My Lord Portland. He promised me all the assistance he could contribute with all readinesse and cheerfulnesse, he

desired me to attend him about Six a Clock that evening, in the mean time he would consult with the other Burgomasters, which he was obleiged to do, before he could act anything in the affair. According to appointment I did attend at Six and then he told me he had communicated My Lord's letter to the other Burgomasters and they had authorized him to act as he should judge best and most expedient according to what I should desire. I then desired that he would be pleased to encourage Mr Levinas van Schaick to deal freely with me in relating what he knew of the present state of the West India Colonies belonging to England; he assured me he would, and accordingly upon Munday May 7 N. S. about 3 a Clock in the Afternoon he sent for Mr Van Schaick who promised to give me an account, as well as he could recollect, by the Fryday following being May 11. N. S. In the mean time I waited upon Mr Wilsen upon Wednesday May 9th N. S. and desired to know if he had advice of any French men of warr that were sailed from that Coast to the West Indies (for I had account of five) he told me he had so likewise but that there was a Report bruited abroad that they were returned, but he should know certainly by the next post upon Friday May 11. N. S. And if I would wait upon him then I should know the certainty of it, which I did, and is contained in the following account togeather with Mr Van Schaick's and Mr Blanckenstein's and some other particulars from other advices as follow.

Mr Lavinas Van Schaick May 11. 1696. N. S.

The five Nations of the Indians which are in allyance with the English Colonies in America, and particularly with the Province of New York (known by the names of the Makousen, Oneyedas, Onondages, Calouges, and Sinnekes, are a people that live westward from Albany, the first about fifteen l-agues, and the last about 120. They are much inclined to warr as they have made appear upon several occasions though they are but few in number, it is a considerable advantage to the English to secure their friendship, and to be in league with them.

The French of Canada are very sensible how much they suffer'd by warr with some of these people about thirty years past and have ever since courted their favour or else (that they might be freed from such troublesome apprehensions) have secretly contrived to undermine and extirpate them; To this end under the pretence of converting these Indians to the Christian Religion they have sent certain Jesuits among them, who by subtil insinuations have endeavoured to draw them from their own Country into Canada, persuading them that there they could be better and more advantageously instructed in the Christian Religion, and so farr they have prevailed that they have drawn a considerable number of them into Canada, who have setled themselves there near to Mont Royall. These have done the French very eminent Service in the warr they have been and are still engaged in, with other Indians part of the Five Nations in so much that without them it had been almost impossible for the French to have preserved Canada. By the assistance of these Indians they have destroyed a considerable town called Schoney Stadt and several Plantations in the County of Albany, and the English and Dutch inhabiting there labour under such terrifying apprehensions of the Injurys they are likely to receive from these Indians that many of them have deserted their habitations, and those that continue there are very much impoverished.

The remaining parts of the five nations which are much Superior to those who have inclined to the French interest have for ten years past or thereabouts been ingaged in a warr against

the French and the Indians that went with them into Canada, the French endeavouring utterly to extirpate them, because they would not joyne with them and trade to Canada. In order to effect this (and indeed to destroy the English by the help of his Indians afterwards the French King in a Treaty held between him and the late King James, in the second year of his Reigne) did very subtilly obtaine this Article, viz.

> That if either of the Subjects of England or France should be engaged in a warr with the Natives of America, then in such case the other party should not harbour, encourage, or give ammunition to their Ennemyes the Indians.

When this was concluded between the Kings of England and France the French immediately came and surprised the Sennekes, the strongest of the five nations, with a body of about three thousand French and Indians; The French hearing of their approach fled from their habitations, and sent their Wives and Children into the wilderness, and, with a small number placed in Ambuscade, waited the comeing of the French, and as soon as they advanced up to them, charged them and maintained a fight with them for some hours, but, the others being so much superior in number, they were overpowered and obleiged to retreat into the woods, and leave the Feild to the French, who destroyed their Towns and plundered all they could. Thus began the warr. The French doubted not after this expedition to have subdued the Indians and compell'd them to accept of such Articles of peace as they should think fit to propose to them: But soon after, these Indians, to revenge this insult, went into Canada, with a considerable body of their people, and killed many of the French, and tooke many Prisoners. For a considerable time past the French have endeavoured by all possible artifices to allure them to a peace; The Governor of Canada has assured them that though as a father he has chastized them for many insolencys yet he is ready to receive them againe for his children, and hath desired them to meet him at Cadaragqua, a French Fort upon one of the Lakes, where they keep about one hundred men in garrison. The Indians gave notice of this to the Government of New York and Albany, with whom they always held a very good correspondence.

The English Subjects used all their endeavours to disswade them from treating with the French and to encourage them to engage in the warr promised to assist them and receive them, and their Familys into the Province of New Yorke, if the French should prove successfull against them; They likewise engaged to divert their ennemies by endeavouring to take Canada from the French, but this hath not been yet undertaken.

The Indians have suffer'd very much by this war, and, haveing lost many of their fighting Men, begin to be weary of it, and are inclined to make a peace with the French which if they should do and be gained to their interest it would prove very fatall to the English Colonies on the North part of America, espetially to Virginia and Mary land into either of which the Indians can march in a few days.

If this small number of Indians which the French have drawn to them from the five Nations, have so terrifyed Albany, the consequence must of necessity be dread full should they gain the whole body of these Nations; The inhabitants of all the northern Colonies must abandon their dwellings or be destroyed.

The French daily make very large Offers of Presents to induce those Indians to a peace with them by the insinuation of one Pierre Milett a Jesuit who has lived with them above these six years, and is by them very much esteemed; He is a perfect Master of their languages and

Customs, therefor it is to be feared will much influence them in this affair unless timely prevented; Various meanes have been used to perswade the Indians to send this Jesuit from among them, but to no purpose, for though many of them were made sensible that he ought to be removed, Yet his friend would not suffer him to be taken from them.

Mr Van Schaick has been informed that the French have a perfect designe in hand of destroying the English Plantations in America. He has seen letters from France wrote by an English Pyrate of note to an English Gentleman of quality, in which he advised, that the French had sent some ships to the West Indies loaded with variety of presents for to obleige the Indians and that more were preparing. He doubted not but that they would effect their designe if nothing suddenly intervened; There were in the letters some other Particulers as the quantity and quality of the presents sent to them, which he could not remember; He said after he had read these letters he desired the Gentleman to acquaint his Majesty with it, it being a case of so great consequence, To which he answered that he had already imparted it to a Person of Quality that was true to the King's interest.

It is absolutely necessary to continue these five nations in his Majesty's interest in order to preserve those Colonies, and the most proper method to effect it is by renewing (as they express it) the Covenant Chain which is always done at Albany by giving of presents to them, which at this juncture would be most gratefull and acceptable to the Indians who are now very poor, because the Warr has disturbed and prevented their Beaver hunting by which they mostly subsist: 800 or 1000 pounds sterling value laid out in such goods as they most esteem, if well applyd, may accomplish this designe. The persons most proper to treat with them, being very much beloved by them, in the Provinces of New York and Albany, are Mr Peter Schuyler, late Mayor of Albany and one of the Council, Mr Dirck Wessells Justice of the peace at Albany and Dn Godefridus Dellius a Dutch Minister, these always treated with them by the help of one Aornaut Cornelisse a poor Englishman their Interpreter who has lived a long time with the Indians and frequently converses with them.

The goods which the Indians put the highest value and esteem upon are slight Liege guns, powder, lead, strowd water cloth, red and blew, blanketts, duffels, Woolen stokins, red, blew, and white, and smal brass kettles.

The most secure way to continue the Indians always in the English interest would be the takeing of Canada from the French, by which means His Majesty will not only secure his owne Colonies which are now continually in great danger, but also become Master of all the North part of America, increase a great trade to the English Nation, and bring all the natives under subjection.

Fryday May 11. N. S.

It was then confirmed to the Honorable Burgomaster Wilsen that Monsieur Renaut was sailed with five Ships for the West Indies to enterprize some thing considerable, and that those men of Warr were victualled for ten months; They sailed from the Coast of France about the 4th of May. There is likewise ready at Rochelle a convoy of three men of warr bound with some merchant ships for the American Islands under the command of Monsieur d'Iberville who is to joyn Monsieur Renaut so soon as he has conveyd the Ships to their respective Ports.

Ditto.

Mr Blankenstein assured me that it was the opinion of all considering men that the West India Plantations or Colonies adjoyning to Canada, were in great danger of being destroyed, That the French had made preparations of arms and other gratefull presents to delude the Indians belonging to the five nations to a peace that he himself had very considerable tracts of land there and some Plantations, but he could not thinke it safe to be there till a league was confirmed with the Natives, That if an honest indifferent person that designed only the honour of the King and good of the Plantations was sent from England, by particular order and commission, to joyne with those mentioned by Mr Lavinas van Schaick, that they might not be influenced and overawed by the Governor he did beleive the designe might be easily accomplished, and all the French Intrigue disappointed; That it would not be very difficult, by the help of Eight or ten men of warr to destroy all the French interest in Canada, because they could draw a land force sufficient for such an enterprize from Albany and New Yorke.

There were two small shipps which were designed to be privately loaden with light small guns and other arms from Liege, and what things might be necessary for the Indians, which were seized at Amsterdam by the Admiralty and exposed there to Sale August 5th 1695 and no person appeared to own them.

Deliver'd to Mr Secretary Blathwayt May 19th 1696, at the Hague

CHARLES PILSWORTH.

Their Excellencies The Lords Justices of England.

The humble Memorial of Chidley Brook and William Nicoll.

Sheweth

That they were sent from the Governor Councill and General Assembly of His Majties Province of New York about the month of November last with an humble Address of thanks[1] to his Sacred Majtie for the Royal care of and bounty to that Province, with all dutifull acknowledgment of their hearty Affeccôn and Zeale to his Majties person and Governmt

That they had also Comission and Instructions[2] to lay before his Majtie the State and Condition of that Province in relation to the warr with the French and further to move and appear in any matter or thing that may conduce to the good and wellfair of that Province.

That being on their Voyage hither in the month of January last near the Islands of Silly they were taken by a privateer of St Malo and carried into ffrance where they remain'd Prisoners till the beginning of the month of Aprill.

That when they found the Ship they were in was not capable of any longer Defence they sunk all such Papers and writings as did any way concern the publick or the Warr.

That they were instructed humbly to offer to and acquaint his Majtie that the ffrench of Canada have resetled a fort at a place called Cadaraque from whence they were driven by the Indians the beginning of the warr.

[1] This Address, dated November 2, 1695, will be found in *New-York Council Minutes*, (legislative) VII., 87. — ED.

[2] These Instructions are entered, also at length, in *New-York Council Minutes*, ut sup. — ED.

That since y^e^ said settlem^t^ the Indians of the ffive Nations have seemed much colder in their ffriendship to the English and it is to be ffeared that they will not only strike up a peace w^th^ the ffrench but make open warr upon the English.

That it has not been possible for the Gov^r^ of New York w^th^ the fforces he has there to hinder y^e^ settlem^t^ of the ffrench at Cataraque it being scituate more then 500 miles from the uppermost plantacôns, and the way thither through a country of thick woods, and great Lakes, without any Road, and where no provisions for any considerable party of Christians are to be had.

That if those 5 nations of Indians should be drawn over to the ffrench all the English Plantacôns on the mayne Land that are setled at great distance from one another will be lyable to be wholy ruined & destroyed by small partyes of ffrench & those Indians.

That the Province of New York by its scituation, yearly presents, & assistance given to those Indians (to the great impoverishing of that country) has hitherto (except any defeccôn has happned since Nov^r^ last) with great dificulty kept those Indians from quitting the English interest.

That in that Province consisting of about 3000 Familyes towards defraying the charge of the warr has been raised since the year 1690 above 30000^l^ & all the Assistance had from the neighbouring Collonyes has only been about 3000^li^ though all the English plantacôns on the Continent are equally (if not more) concern'd in the danger.

That notwithstanding so much money has been raised from that Province and the other assistance given by its neighbours, the expence of the warr has been so great, that the Governm^t^ at present remaines much in debt, and will not be longer able to subsist unless some effectual methods are found to support it.

That the Indians being weary of the warr, observing the great Recruits of Men, armes and stores yearly sent from ffrance, are very sensible of the danger threatned them by the neighbourhood of the ffrench in Cadaraque who are much better fortifyed there then formerly, and by this they are inclined to hearken to the Proposalls made from those of Canada who by menaces, guifts, and all other meanes endeavour to gett those Indians to engage on their side.

They humbly therefore Pray Your Excellencies to interceed with his Maj^ties^ to order some speedy and effectual care to be taken that the Evills which apparently will attend the Indians confederating with the ffrench, and their setling in those parts may bee prevented.

CHID: BROOKE
W. NICOLL

Account of the Revenue of New-York from 1690 *to* 1696.

[New-York Entries, A., 140.]

Chidley Brook Collr & Receiver of His Majesties Revenue of New York

Debtr	£	s.	d.
The produce of the Revenue from the 30th of January $169\frac{0}{1}$ to the 25th of December 1691.			
To customs in, out, & up Hudsons River £2521	2	11¾	
To Inland Excise on retailed Liquors 208	12	0	
To the produce of the Weigh house..... 150	0	0	
To fines and forfeitures..... 306	10	0	
To Quitrents received..... 21	12	6	
	3202	17	5¾
The produce of one year ended the 25th of Decr 1692			
The Customes as above..... £2463	3	11½	
To Excise of liquors..... 884	15	8	
To produce of the Weigh house			
To Fines and forfeitures 60	8	0	
	3358	7	7½
The year ended 25th Decr 93.			
To Customs £1916	8	0½	
To Excise 665	16	6	
To Quit rents..... 88	11	0	
To Weigh house..... 90	0	0	
To fines and seizures..... 229	17	5¾	
	2940	13	0
The year ended 25th Decr 94.			
To Customes £3055	11	8	
To Excise 862	4	10	
To Quit rents 149	0	0½	
To Weigh house..... 218	8	2	
To fines and forfeitures..... 15	0	7	
	4299	19	11
The year ended 25 Decr 95.			
To Customes £2318	17	10½	
To Excize..... 919	18	2¾	
To Quit rents..... 36	17	6	
To produce of the Weigh house 66	0	11¾	
To fynes and forfeitures..... 264	17	4¾	
	3601	11	11
Totall of receipts	17403	9	11¼
To cash received from Virginia..... £1560	0	0	
To cash from Maryland 799	16	5¾	
To cash from East-Jersey 365	1	10	
To rates from Connecticutt..... 826	5	10	
To cash borrwd frm the additional duty..... 1882	13	4	
	4933	17	3¾
Totall of Receipts of the Revenue ettc:.....	22337	7	8

Per Contra	£	s.	d.	Creditor. £	s.	d.
Payments and disbursements from the 30th of Janr $169\frac{0}{1}$ to the 25th of Decr 1691.						
By payments on publick orders..... £2291	6	10½				
By salaries paid 716	6	8				
By allowance on debentures..... 15	4	6				
By incident charges..... 21	13	2				
				3044	11	2¼
Payments and disbursements in the year ended the 25th Decr 1692						
By payments on publick orders..... £3064	11	7⅛				
By salaries paid 406	7	6				
By incidents paid..... 21	18	6¾				
By repayments to Merchants 31	15	10½				
				3524	13	6½
By arrears of Excise from Livingston £217 7s 11d left out on this year being paid in the next accompt						
The year ended Decr the 25th 1693.						
By payments ut supra..... £4009	6	6				
By salaries paid 507	0	8				
By incidents..... 20	15	0				
By repayments to Merchants 46	7	0				
				4583	9	2
The year ended the 25th Decr 1694.						
By payments ut supra..... £5517	13	5½				
By salaries paid 584	19	11¼				
By incidents..... 29	15	11				
				6132	9	8½
The year ended the 25th of December 1695.						
By payments of publick orders £4162	12	7¾				
By salaries paid 540	1	7				
By Incidents 20	8	11				
				4722	18	1¾
Totall disbursements & payments.....				21008	1	4
Balance.....				329	5	11
				22337	7	8

Governor Fletcher to the Lords of Trade.

[New-York Entries, A. 46.]

Coll: Fletchers Letter to the Lords of the late Committee dated the 22. Aug: 1696.

May it please Your Lordships.

The Governour of Canada invades our Indian Country.

On the 2nd instant I had intelligence, the Governor of Canida with 1000 French and 2000 Indians, was in our Indian Country and that the people of Albany were in some consternation lest the Indians of the Five nations should joyne with them and fall down upon Schenectady and Albany. He surprised one castle at Oneyde which he burnt, and destroyed the Indian corne. The Onondages sent away their old men, women and Children to the Southward, the Young men tarryed till they perceived the French were too numerous for them, then burnt their Fort, and retreated, leaving their corne to be destroyed. It is reported by some prisoners that did escape, that an Indian brought tydings to Count

Frontenac, that I was on my march from Albany, with a great army as numerous as the trees of the woods, which hastened his retreat; the Cayounges and Sinnekes are no hurt. I wrot to Connecticut for their quota and to the Governour of the Jerseys for men to meet me at Albany, but all my endeavours could not obtain oneman from them.

He has writ to the Jerseys and Connecticut for their Quota but in vain.

It is resolved in Council here for His Majtys service that the Oneydes and Onondages be supplyed with corne the ensuing yeare which will add to the charges of this province.

The Council of N. Y. have resolved to supply the Oneydes & Onondages with corn the ensuing yeare.

I have herewith transmitted to your Lordps a copy of my proceedings at Albany on this occasion, I have delayed the giving them the present from His Majty untill such time I can gett them all together and having received advice from the Rt Honble the Lords of His Majtys privy Council of a designe the French have upon some part of America, I hastened to Yorke for in a month or six weeks time the winds are esteemed a defence to this coast.

His Majty's present to the Indians is not yet given them

Three of the Lieutenants of the Establish'd company's have often troubled me with papers desiring to be discharged, at last have resigned their commands; on the day of their resignation I granted Commissions till His Majtys pleasure be further known, to Lieut. Abraham Beckford in the stead of Lieut Matthew Shank, belonging to Coll Ingolsby — to Lieut: Simon Young instead of Lieut George Sydenham belonging to Captn Weems, and to Lieut Charles Oliver instead of Lieut Roger Wright belonging to Captn Hyde. who have all served as Cadees in the Irish warr in the English troops and two of them have been Lieuts in the Country forces and behaved themselves well in the action against the French and Indians in Febry 1692.

Three Lts have laid down their Comssns and others put in their place—

May it please Your Lordships.

The frequent alarms, we have from the French puts us to a great charge and expence of Ammunition besides the supplying of the Indians and the Forts of Albany and Schenectady; I therefore beg leave to give your Lordships the trouble of interceeding with His Majty for an annual supply, and that the subsistence of the Company be punctually paid, being all the force I have to depend upon for the safety of this Province.

He desires an annual supply of stores and that the subsistence for the Compies be punctually paid.

I have transmitted herewith an answer to the depositions taken against me before your Lordps as your Lordps were pleased to command — I am

He sends an answer to the depositions taken against him.

May it please Your Lordships

Your Lordships most obedient most dutiful

and most humble servant.

New York 22nd August 1696. Ben Fletcher.

Proceedings of Governor Fletcher at Albany.

[New-York Papers, A. B. B. 89.]

An Account of the late Expedition to Albany in the Month of August 1696.

July 31st His Excêll: Benjamin Fletcher had certain intelligence that the French were on their march against the Indians of the Five Nations.

Sunday Augst the 2d Intelligence came the French were in the Indian countrey and that the inhabitants of Albany were apprehensive of their marching against that garrison.

At the same time came a letter from the Rt Honble the Lords of his Matyes Privy Council advising of preparacóns made by the French against some part of America.

His Excêll. the same day did recommend to the Council to cause the guns and batterys to be put in order and about noone took his departure for Albany.

On the 7th of Augst his Excêll: arrived at Albany and called a Council of such gentln & officers are were upon the fronteers.

At a Council held at Albany the 7th day of August 1696.

PRESENT — His Excellency Benjamin Fletcher &c

Coll. Nich. Bayard, of the Council.	Dirck Wessells Esqr
Majr Peter Schuyler of the Council.	Coll Richd Ingoldesby
Matth: Clarkson Secy	Capt. James Weems
Lt Coll. Charles Lodwick.	Capt. William Hyde
Evert Banker Esqr	Capt. Peter Mathews

Mr Dellius the Minister to the Indians.

His Excêll the Governour said:

Gentl. Assoon as I had certaine notice from you that the Enemy were marched into the Countrey of our Indian freinds, and by the number of their forces did seeme to threaten this place and Schenectady, I made all the haste I could to yor assistance, losing no more time but while I wrott to Connecticutt & the Jerseys for such supplys of men as I conceived necessary upon this occasion by this letter which I received at the same time (with those from Albany) from the Lords of His Matyes Council in England, you will see that I could not reasonably draw forces from New Yorke nor be well spared from that place my selfe; yet by advice of his Matyes Council there I am come up with a part of my own Company and desire yor advice what is most proper to be done for the King's service and yor own safetyes and for the secureing the Indians in their fidelity and renewing the covenant chain: this we are to consider, that time may not be lost and the Countrey not burthened by an unnecessary charge.

His Excêll further proposed sending thirty men of his own Company now brought up with him with a detachment of twenty out of each of the three companyes here, into the Indian countrey to cover the retreate of our Indians and secure them from their fears.

The Council were of opinion the French being retreated it would be an unnecessary charge.

And offered their advice that the Sachems of the Oneydes should be sent for (who are here) and theire losse condoled; which was accordingly done.

The Council are of opinion that the members of Council present with the Officers of the

Companyes and principle inhabitants of this place should meet and consult with the Cheife Indians now in town about the propperest methods for bringing back those Indians that are fledd, and settling them firm again in the covenant chain, and make report what they have done therein to His Excellency — Which His Excèll did approve of and order accordingly.

May it please Yo^{r} Excêll.

In obedience to yo^{r} Excèll. order of the 7th instant we underwritten have mett & considered about the properest methods for bringing both those Indian Nations viz^{t} the Onondages and Oneydes that are fled, and renewing with them and the rest of the Five Nations the Covenant Chain, and having thereupon sounded the opinions of the Sachims of the Maquaes and Oneydos Nations and severall of their Cheife men now at Albany, do humbly offer as our opinions that since we are informed that it is now twelve dayes ago the French army left the Indian countrey and that the Senekes and Caijouges are still undisturbed in their own Country that the Onnondage Nation upon the approach of the enemy have set their own Castle on fire and are fledd to be out of the enemyes reach, that the Oneydes Nation have in like manner left their Castle and great part of them already are come in here to Albany for releife in their wants of provision and ammunicón &^{c} and that the Maquas Nation or great part of them are in like manner come hither, We cannot perceive that it can be any service to send any great body of men now to the Upper Nations, who are seated at that distance from hence, neither can any men be well spared from Albany, here being only three establisht companyes in garrison with a detachment of Yo^{r} Excèll. own company now brought with you, besides a few inhabitants; which we judge to be litle enough for the defence of the place: but we humbly suppose that its of absolute necessity that small partyes be frequently sent out to clear the coast from such small troops that may come to annoy the adjacent farmes in getting in their harvest; and lastly with submission we are of opinion that the best method to reduce the Indians that are fled and to unite them with the rest to this government as formerly in renewing the Covenant Chain, is, —

First, that trusty and faithfull Indians be procured & sent to the Senekes and Caijouges in their castles and to the Onondages that are fledd, with instruccòns to acquaint them that his Excellency the Governour upon the first news of the French invading their countrey came to Albany from New Yorke in order for their assistance & releife.

2. That upon his Excèll: comeing heither he had intelligence the enemy was already departed out of our Indian Countrey.

3. That it is hardly possible to have a meeting with all the brethren of the Five Nations now to consult with them what may be propper for the common good and to present them with those things which are sent to them from his Excèll. great master the King of Great Brittaine.

4. That therefore yo^{r} Excèll. do appoint the brethren to meet you thereunto at Albany this day two months, but if it should so happen that by reason of the Onnondages being fledd the brethren could not then meet in a body at that time that the Onnondages, and Senekes & Caijouges will consult and pitch upon the time, and to give Yo^{r} Excellency timely notice thereof to the end the brethren of the Maquas and Oneydes may be acquainted therewith accordingly. Dated the 8th of August in Albany 1696.

Nich Bayard

G. Dellius Evert Bancker

Dirck Wessells P^{r} Schuyler.

Copy of a Commission left by his Excêll:

Benjamin Fletcher Capt. Genl. & Governr in Cheife of his Matys Province of New Yorke &c To Peter Schuyler Esqr one of his Matyes Council for the sd province, Mr Godfrey Dellius Minister at Albany & places adjacent, Majr Dirck Wessells [Mayor of the City of Albany] and the Mayr of the City for the time being. I doe by virtue of the power and authority to me given by his Matyes Letters Patents under the Greate Seale of England, hereby impower you or any two of you to treat confer and consult with the Five Indian Nations of the Maquaes Oneydes [Caijouges] Onondages and Sinnekes who have hitherto been faithfull to my Master his Majesty of Great Brittain, France and Ireland &c and to hold a correspondence with them pursuant to such instruccôns as you shall from time to time receive from me, so as by yor endeavours they may be confirmed in their fidelity and allegiance. And from time to time you are hereby required to give a constant and minute account of all yor proceedings to me & his Matyes Council for the province of New Yorke, and I doe hereby supersede vacate and make null any former warrt or commission granted in this behalfe. Given under my hand and Seal att Albany the tenth day of August in the 8th year of his Matyes reigne Anno Dnî: 1696

Ben Fletcher.

[The words in the above Commission, within brackets, are from the Record in *New-York Council Minutes*, VII., 210. — Ed.]

The Instructions

Instruccôns for Major Peter Schuyler one of his Matyes Council for the Province of New Yorke, Mr Godfrey Dellius Majr Dirck Wessells and the Mayr of Albany for the time being, commissionated by me in my absence to conferr with the Five Indian Nations for his Matyes service pursuant to the sd Comîssion.

To send out trusty and faithfull Indians with one or two Christians that understand the Indian language to the Castles of the Sinnekes Caijouges and Onnondages who are fled, to acquaint them that upon the first news I had of the French invasion I came up to their releife & assistance.

That at my arrivall at Albany I had intelligence the French were retreated out of their countrey.

That I am desirous to have a meeting of the Five Nations at Albany to consult with them what may be propper for their comon good and safety, and present them with such things as are sent from my Great master the King.

And that I desire to meet them the eleventh day of October next, but if it should so happen there be [that by] reason of their seperacôn and flight the brethren cannot meet in a body at that time, the Onnondages, Sennekes, and Caijouges being the uppermost Nations do consult & appoint a time and give me notice thereof, to the end the brethren of the Maquaes and Oneydes be acquainted therewith that the meeting may not faile

That if any of the Sachims came down in my absence you hear and answer their propositions as you shall finde most to conduce to his Matyes service & the safety of the Province.

That by all opportunityes you give a minute account of these affairs to me and his Matyes Council for this Province and from time to time follow such further directions and instruccôns as you shall receive from us.

And it is hereby further directed by and with the advice of those of his Ma^{tyes} Council here present that the sûme of One Hundred pounds be lodged in the hands of M^{r} Dellius towards the defraying the necessary charges of these persons thus employed for his Ma^{tyes} service for which he is hereby obliged to give a particular account to me and his Ma^{tyes} Council at New Yorke or to the Governour & Council for the time being. Given under my hand and seale at Albany the tenth day of August in the eighth year of his Ma^{tyes} reigne Anno Domini 1696.

BEN. FLETCHER

(signed) DAVID JAMISON Cl. Concilij.

Governor Fletcher's Answer to the Charges made against him before the Lords of Trade.

[New-York Papers, A.B. A. 89. No. 5.]

The answer of His Excêll Benjamin Fletcher Capt. Gen^{ll} and Governour of New Yorke &^{c} to the examinations & depositions taken against him by sundry persons before the R^{t} Hon^{ble} the Lords of the Committee of Trade and Plantations on the 28th of Aug^{t} and 14th of September 1695.

May it please yo^{r} Lôps.

M^{r} Philip French deposeth that he heard it discoursed at New Yorke that I should say I would pistoll any man that should choose Peter Delanoy for an Assembly.

I humbly answer:—I am ready to produce to Yo^{r} Lôps. the hands of 500 persons dwellers of New York who will averr that they never heard any such report in that place till it came from London. As to the assertion of Philip French that he dined with me to the intent to know the trûth that he spoke of this in my presence:—

A. I do not remember any such discourse, nor ever kept minutes of what passed at my table.

He swears that I did not deny but rather owned that I spoke these words:—

A. I must leave the weight of such deposition to yo^{r} Lôps prudent consideracôn.

That I should say Dela Noy and Coll. De Peyster were both rascalls.

A. This is his own language and not mine.

He goes on in his depositions and says that all the time of eleccôn there was a great deal of trouble in the town about it.

A. I humbly protest to Yo^{r} Lôps. that I never heard of any trouble or noise about it.

That he saw many seamen and soldiers with clubs in the field.

A. I stirred not abroad that day; it has been indifferent to me who are chosen Assembly men; I have only wished they might be honest men and such as might endeavour the safety of the fronteers and the prosperity of the Province which has been my chiefest care; yet it appears to yo^{r} Lôps by those deposicôns that none of my Company though in the feild gave a vote, and I can assure yo^{r} Lôps, I did not suffer one man to goe off their guard tho' severall of them were freemen of the City. It is hard for any Officer to be accountable for the walkes of such part of a Company as are off their duty.

As to those the deponent calls Leislers party, I am a stranger to them. But when he says there was a rumour of pressing in the feild:—

A. I must averr to yo^{r} Lôps, there has been no presse for land service since my comeing to this Province.

M^{r} French further alleages he heard there had been great heats in the Assembly about the accounts of publick money.

A. This matter will be best demonstrated to yo^{r} Lôps. by the minutes of Council and Assembly which are lodged in the Plantation Office, being constantly transmitted there. By them it will appear that I never received one penny of the publick money or issued a warr^{t} for the payment of any sûme but with the advice and consent of his Maj^{ties} Council for this Province. I humbly desire yo^{r} Lôps that M^{r} Chidley Brooke his Matyes Receiver Generall and M^{r} William Nicoll who are now in England may be examined upon this and the rest of these depositions; they are both of the Council here and now attending yo^{r} Lôps to lay the state of this small part of his Matyes dominions before his Majesty and yo^{r} Lôps: they are men of creditt and witnesses of all my accôns.

Maj^{r} Howell was commanded with a detachment of Militia to Albany, it was his turn, he had pay as Maj^{r} and Captaine.

M^{r} French further deposes that he heard it said all the goldsmiths in town were imployed in makeing snuff boxes & other plate for presents to me.

A. It had been more to the purpose if he could have proved the plate had been presented to me, I acknowledge to yo^{r} Lôps. two snuff boxes were given me by two gentl. that I had an opportunity to obleige.

To the last part of M^{r} Frenches depositions which is all hearsay; I acknowledge to yo^{r} Lôps at my comeing to this Province I found one M^{r} Surims [Simms] Leiu^{t} to Côll: Ingoldesby's Company by the Kings cômission. I sent him into England with my instruccôns and letters to procure recruites for his Matyes two Companyes of Grenadeers posted at York and Albany; as to his being Mast^{r} of a ship I can say nothing, but this I can assure Yo^{r} Lôps. for my own part I have neither ship nor barke part nor parcell in any vessell whatsoever nor any hand in trade.

William Kidd Mast^{r} of the Brigantin Antego.

What he deposes is answered in my reply to Philip French, only in relation to the makeing of freeman, I am humbly of opinion yo^{r} Lôps. will not make me accomptable for what freedoms the May^{r} may give or what methods the Sheriffe may take upon y^{e} occasion of eleccôns; conceiving my selfe unconcerned in both those matters and having never yet heard a complaint as to either.

As to his second deposition it is as the first, and will never appear to yo^{r} Lôps. that I ever named one man for the Assembly, being alwayes indifferent, having nothing to ask or desire of them but their care to secure the fronteers

Samuell Bradley being of the same substance with that of William Kidds, requires no further answer

John Albrough deposes no new matter, only that his master being of the Assembly he heard his master say he had asked the Governour for an account, but was not cleer about it, and soon after the Governour broke the Assembly.

A. I humbly desire yo^{r} Lôps. will be pleased to allow M^{r} Chidley Brooke and M^{r} William Nicolls to be examined upon these two points, who will make it clear to yo^{r} Lôps. that I have ever urged the Assembly to look into the publick accounts, and that I never dissolved the Assembly but with the advice and concurrance of the whole Council.

Joseph Davies sweares that he saw with an Assembly man a short account of about £1500 said to be remaining in the Governours hands. I must again desire yo^{r} Lôps. will allow M^{r} Brooke and M^{r} Nicolls to declare their knowledge on this point and that the minutes of the Council and Assembly may be produced. It will then appear to yo^{r} Lôps as I have said before that I never received one penny of publick money; my part has only been to signe warrants for such payments as has been concluded of in Councill here.

Giles Shelley is answered in what has been already said.

Benjamin Blydenburgh in the latter part of his deposition says it was reported the Assembly had demanded an Account of the money given to Governour Sloughter the former Governour and that I had not given it.

A. This is a report on hearsay as all the rest are and is new to me. I humbly protest to yo^{r} Lôps. I never received any money belonging to Governour Sloughter, therefore could not account for it. I desire M^{r} Brooke & M^{r} Nicoll may be called to speake to this matter.

Thomas Jeffers offers nothing but what has been already said; which I humbly conceive is answered, so that I have no more to add, but humbly submitt to yo^{r} Lôps. great wisdome and justice.

I am, Yo^{r} Lôps. most obedient & most humble servant.

(signed) BEN. FLETCHER.

N. Yorke Aug^{t} 22. 1696.

Governor Fletcher to the Lords of the Privy Council.

[New-York Entries, A. 52.]

Letter from Coll: Fletcher to the Lords of the privy Council dated the 22nd Aug: 1696.

May it please Your Lordships.

I had the honour of Your Lord^{ps} of the 15th of Feb^{ry} and the 15th of April last and Your Lordships commands shall be punctually obeyed. The act of Parliament was published; I caused it to be printed for the better information of all His Maj$^{ty's}$ subjects in this province.

I had likewise the honour of your Lord^{ps} of the 20th of April which I did communicate to the Councill who are infinitely obliged by Your Lord^{ps} care for this Colony —

At the same time I received that of the 20th came certain intelligence from Albany that Count Frontenac with 1000 French and 2000 Indians was in our Indian Country, and that the people of Albany were in some consternation. I left necessary orders with the Councill and repaired to Albany, when I came thither, I had intelligence the French had burnt the Castle of the Oneydes, taken some women and Children, and destroyed their corne, when they approach'd to Onnondage, the Onondages set fire to their own Fort, and fled to the Southward, leaving their corne to be cutt down by the Enemy. I have transmitted copies of my proceedings at Albany to [the] Plantation office which I hope Your Lordships will approve.

When I returned to New Yorke I found the people very forward in the reparation of their Breast workes and platforms according to order having furnished the Gunns with new wheels and carriages where wanting.

I shall always be ready to obey your Lordships' Commands and adjust my duty to His Majᵗʸ in the defence of this Province to my utmost ability and beg leave to be accounted

May it please Your Lordships
Your Lordships
most dutiful most obedient and
New Yorke most humble servant
the 22ᵈ Aug: 1696. Ben: Fletcher

Representation of Messrs. Brooke and Nicoll to the Board of Trade.

[Journal, IX. 70-2.]

Whitehall August the 26ᵗʰ 1696.

At a meeting of His Majesty's Commissioners for Trade and Plantations.

Present —	Lord Privy Seal	Sʳ Philip Meadows
	Duke of Shrewsbury	Mʳ Pollexfen
	Earl of Tankerville	Mʳ Locke
	Mʳ Chancellor of the Exchequer.	Mʳ Hill

Brook & Nicoll Mʳ Chidley Brook and Mʳ William Nicoll, attending acquainted the Board that the French of Canada had the last Summer possessed themselves of a Fort at a place called Cadaraqui, which thô at 4 or 500 miles distance from New Albany is an annoyance to them, and the Indians of the Five Nations their Neighbours. That those of the Five Nations which they had by the insinuating Arts of their Priests gained to their side came in small parties, sculking through the woods, and had lately killed five or six men near Albany; That the way of those Indians is thus, to hide themselves in Woods and Bushes, and as soon as they have done any mischief fly into the Woods, — where it is impossible to follow or finde them. That the Remainder of these Five Nations hate mortally those of themselves that are joyned with the French. That they lie not above 30 miles from Albany. That the most numerous of them called Senecas are not above 1000, and the whole scarce 2500 men. That they are as so many Cantons leagu'd together, but under one head in time of Warr. That it is highly our Interest to keep their Friendship: Which must be done by makeing them presents ever and anon: Powder, Lead, Guns; Hatchets, Kettles, Clothing &c. And besides this to keep up a Reputation with them, it is necessary to have an appearance of strength upon the place, and to have wooden Forts advanced as far as may be on our Frontiers with some little Garrisons in them. That the French do appear to have them stronger than we, having 1500 Soldiers actually in the King's pay at Canada. That the French Inhabitants there apply themselves cheifly to trade, not planting. That the French King to promote intercourse with them gives five pistols to any Frenchman that marries an Indian Woman. That these Five Nations speak languages something different one from the other. But no Englishman understands yᵐ. That our Cheif way of conversing with them is first by the Interpretation of a Dutch woman, and from her by a Scotchman. That the Inhabitants in the Town of New York are one half

Dutch, a quarter part French Protestants, and a Quarter part English. They all live under our laws and are very glad to do so: That the product of the Country of New York is cheifly Corn. Their land produces ordinarily 15 bushells on an Acre: Wheat is very good which they carry to the other Plantations. And hither they bring Pelletry: That they have great deale of Wood in the Country, some Pitch pine, but cheifly Oak. The White Oak is the best: They build many ships with it; but it lasts not so long as our English Oake. That they have some Iron-mines; but the Iron is brittle; and little of it made. That they are accustomed to make presents to their several Governors, but only once. And that the last to Colonell Fletcher amounts to the value of about 600£. In the end the Board desiring these Gentlemen to draw up in writing a scheme of what presents were fit for the Indians, what Forts necessary to be built, and in what places, What Forces necessary to be maintain'd; And whatever else they thought usefull to the Province, they promised to do it.

Information furnished by the Reverend Mr. Miller respecting New-York.

[Journal, IX., 89-91.]

Whitehall September the 4th 1696

At a Meeting of His Majesty's Commissioners for Trade and Plantations.

PRESENT—Lord Keeper		Mr Pollexfen
Duke of Shrewsbury		Mr Locke
Sr Philip Meadows		Mr Hill

New Yorke Miller's case

Mr Miller[1] late Chaplain to His Majesty's Forces in New York, attending, shewed a Generall Order from Colonell Fletcher to Mr Gilbert Heathcote for his

[1] Rev. JOHN MILLER, M. A., was commissioned Chaplain to the two companies of grenadiers in the colony of New-York, on the 7th March, 169½, in the summer of which year he arrived in this country. A law having been passed in Sept., 1693, for settling a ministry in the province, he demanded (15th Feb'y, 1694), in virtue of his license from the Bishop of London, an induction into the living lately established for the maintenance of a Protestant minister in the city of New-York. His pretension having been submitted to the Council, they decided, *nem. con.*, that he was not thereby entitled to that living. *New-York Council Minutes*, VII., 54. Mr. MILLER left New-York in June, 1695, after (to use his own words) "having been very near three years resident in the province, as chaplain to His Majesty's forces, and constantly attending the Governor." During his residence, he had the opportunity of observing many things of considerable consequence in relation to the Christians and Indians; and also took draughts of all the cities, towns, forts and churches of any note, and several other matters, to enable him to give an exact account of the then state of the province of New-York. On his return passage, he was taken prisoner by a French privateer in July, 1695, and obliged, unfortunately, to throw all his papers overboard, to prevent the information they contained falling into the enemy's hands. He, however, employed the time of, what he calls, his "long imprisonment," to retrieve, by the help of his memory, some part of what he lost; and, on his return to England, presented to the Bishop of London "A Description of the Province and City of New York with plans of the City and several Forts as they existed in 1695." The MS., on the dispersion of Mr. Chalmers' library, came into the possession of Thomas Rodd, bookseller, London, by whom it was published in 1843. It is an 8vo. tract of 43 pp., and contains, among other curious things, a plan of an American episcopate, which, however, seems to have been overlooked in the Rev. Dr. Hawks' very interesting paper on the subject, in *Coll. of Prot. Ep. Hist. Soc.*, I., 136. It recommended the appointment of a bishop of New-York, who was not only to exercise authority in all the English provinces in the North part of America, but to be commissioned, at the same time, governor of New-York, New-Jersey, Connecticut, Rhode Island, and also of Canada, the conquest of which country was embraced in the plan. *Descr.* p. 23, *et seq.* Mr. MILLER's commission and license are recorded in the Secretary of State's Office, in *Book of Commissions*, II., 71.—ED.

Pay dated the 22d Aprill 1693. But a Servant of Mr Heathcote's accompanying him produced a letter of Colonell Fletcher's to Mr Heathcote dated the 29th May 1695. in which the state of his Accounts is limited to the 1st of June 1695. And said that Mr Heathcote had paid him all that he had order for: Wherewithall nevertheless Mr Miller not being satisfied his complaint arising upon an account between him and Colonell Fletcher he was thereupon told that the decision of that matter did not belong to this Board.

Being then further enquired of about the state of that Province he gave these following Answers.

That there are about 3000 Families in New York and about 5000 Families in Connecticut.

That he was at Albany when the French came down that way in the year 1693. It was into the Mohacs Country, beyond Schenectidy. There were of them about 2 or 300, and as many of their Indians. The Force sent against them was from Albany much about the same number (English and Indians) under Major Schuyler, who speaks the Indian Language. Other forces sent from New York came too late. Major Schuylers Order from Colonell Ingoldsby who commanded in Albany was that when he found he was near the Enemy he should fortify himself; He did so; And in the mean time while sent out detachments who in several attacks killed about 30 or 40 of the French party, whereupon the rest fled, and have not since returned. This was the only incursion of any moment that was ever made upon that Country before his coming away in June 1695.

That the Town of Albany is fortifyed only with stockado. There is but one Minister of the Church of England and one Schoolmaster in the whole Colony of New York A Dutch Minister there had instructed some Indian children. But the English in New York had not endeavoured it. There are many Interpreters

That the Trade of Albany is cheifly Beaver. Formerly it may have been to the value of £10,000 a year but is now decay'd, by reason of the Warr between Our Indians and the French, not diverted to any other place. The burdens also of that Province have made 2 or 300 families forsake it, and remove to Pensilvania and Maryland cheifly and some to New England.

That the Presents usually given to the Five Nations are not distributed to particular Men amongst them: But in general to the whole. It is done in the Governor's name as by order from the King. Their returns are in Beaver and Otterskins to the value of 20 or 40£. Those presents of theirs are made to the Governor: He is doubtfull if not sometimes mentioned for the King.

Plan submitted by Messrs. Brooke and Nicoll for securing New-York.

[New-York Entries, A. 19.]

In obedience to Your Lordships command when we waited on this Board signifying that we should lay before Your Lordships such proper methods as may be taken for securing New York and the rest of the English Dominions on the main land of America, from the French incroachments we humbly offer as our Opinions

The French to be disposest of Canada

That the best and securest means would be the dispossessing the French of Canada and settling an English Colony in that place.

By this

Benefits that would arise from thence

This Kingdom might be wholly eased from any further charge in keeping Garrisons in those parts.

Peltry

The whole trade of Furrs and peltry will be a reasonable consequence of the successe of such and atttmpt.

Indians

The Indians on that Continent will not only be deprived of all meanes of making warr on and doeing mischief to the English but become altogether at their command, there being no other people from whom they may purchase or procure arms Ammunition clothes or other necessaryes, their long trade with Europeans hath accustomed them to, and which they now cannot well live without.

New discoveries

Further discoverys with much more ease and safety might be made into the Inland parts of the Continent, which both by the French and other reports are full of minerals and in particular to abound in great quantities of copper.

But if such an undertaking do appear to Your Lord^{ps} either not fezible or impracticable as too full of hazard or too great a charge. Then we humbly submit the following particulars to Your Lordships consideration.

Presents to the Indians

That about 1000£ be yearly laid out in Arms Ammunition Clothes, ettc for presents to be made to the Five nations or Cantons of Indians to encourage and preserve them firm to the English Interest, and to be continued tho' the warr cease —

1000 men to be kept on the Frontiers.

That during the war a garrison of about 1000 men may be kept on the frontiers of New Yorke towards Canada that the Indians may see we have a sufficient force as well to defend ourselves as also to assist them against the French if there be occasion

Forts at Albany Scenechtady ettc

That a regular Stone Fort may be built at Albany and fortifications made at Scanectade, Canestigaion,[1] the half moon flats ettc. and suitable forces posted in them.

Recruits

That yearly recruits of men and of stores of warr may be sent over to make good the number and supply the wants of the forces there.

Some of our English Youths to be bred amongst the Indians.

That five or six hardy youths (of good natural parts and well understanding grammar) at least may be sent to reside among those Indians to learn their language perfectly, and be acquainted with their customes and manners, that thereby the govern^{t} may have the better insight into their measures and designe, and with more facility treat with them whenever it is necessary.

Convesion of the Indians.

That some protestant English clergy may be encouraged to dwell for some certain time with those people to endeavour their conversion to the Christian Religion.

A fort near the Lake.

And that as soon as it shall be judged feasible a strong fort and good settlement may be built and made in some convenient place near the Lake—Wee are

Your Lordships most humble and
most obedient servants

CHID: BROOKE
W^{m} NICOLL:

Sept^{r} 8th 1696.

[1] Canestegiune is laid down on Mitchell's Map of North America, 1755, and on Sauthier's Map of the Province of New-York, 1779, on the north bank of the Mohawk river, a little west of the Cohoes falls, in what is now Saratoga county. — ED.

Proceedings of Board respecting New-York Memorial.

[Journal, IX., 100.]

Whitehall September the 12th 1696.

At a Meeting of His Majesty's Commissioners for Trade and Plantations.

PRESENT.—Earl of Tankerville Mr Locke
Mr Pollexfen.

New Yorke Brook & Nicoll

Mr Chidley Brooke and Mr William Nicoll attending according to summons presented to the Board a Memorial of the Methods proper for the security of New Yorke and from the Incroachments of the French. The first of which is the takeing of Canada. But if that be not feizable; Then that 1000£ be laid out yearly here in presents to be sent to the Five Nations of Indians. That a Garrison of 1000 men be maintained on the Frontiers of New Yorke during this War. That a regular stone Fort be built at Albany, and Fortifications in several other places. That Recruits of men and stores be sent from hence yearly during the War. That five or six Young men be sent to reside among the Indians to learn their language; as also some Clergy to endeavour their conversion to the Christian Religion.

The Board then enquiring of them further upon several heads, their answers were to this effect.

That if the Designe were to attack Canada some men might be sent from England, and the rest drawn out of the Colonies; the strength thereof they reckon'd or guessed at in this manner. The Massachusets alone reckon themselves 10 000 men fit to bear arms. In Road Island there are about 300 Families capable to furnish 40 or 50 men. The Militia of Connecticut is about 3000 men. These three have formerly furnished about 1500. The Militia of the two Jerseys is about 1000. The Militia of New York was in 1693 about 3000: but they are decresed; many being removed from thence, to avoid the trouble of Detachments and to live more easily in other Colonies free from taxes.

To attack Canada Forces must be employed both by land and sea. For those by Land New Yorke would be the most convenient Rendezvous, it being the center of those Colonies: And Albany lies nearest to the French Frontiers, some hundreds of miles distant from the Great Lake, but they knew not perfectly which way

Waving the proposition of attacking Canada; They said that singly for the Defence of the Country, if there were not a necessity of keeping up a Reputation with the Indians, the 400 men that are there already would be sufficient to defend it. They know not how many of those 400 are remaining of the Men sent over from hence, and how many new Recruits: Some few have dyed, but many deserted. However they are at present so many effective men; But the recruits that are included in the number cannot be depended upon longer than a year, unlesse the Assembly make new provision for the charge of them. Before the war there was never but one Company.

They do not know what stores were remaining in the King's Magazeens at the time of their leaving the Country. But said that Colonell Fletcher did usually send accounts of those stores to the Secretarys Office and the Plantation Office. And that there had been no consumption of those last sent but in salutes or such like ordinary occasions.

The culture of their ground is cheifly plowing and sowing. They supply the Southern

Plantations with Corn. They pay 4st upon 80 or 100 acres of land, Quit Rent to the King, no duty upon goods outwards. Their Returns are from Jamaica Money, from Barbados Sugar, Molosses and Rum. Upon Rum some duty is laid, but none on Sugar. Commodities from hence pay generally 2 per cent. but those proper for the Indian Trade more. The whole value of the King's Revenue there is about 4000£ per annum. (More than sufficient in time of peace for the public charge of the Country) Mr Brook is Collector and has received it so. His accounts he said are in Mr Blathwaytes Office, who is Auditor of the Accounts of all Plantations. But he offerd to bring a Copy of his account of the last Quarter to this Board, for a specimen of their method.

Their methods of Justice are in this manner. The Justices of the Peace determin causes of small value. Next is their County Court. From that lyes appeal to the Supream Court, which consists of Five Judges Commissioned by the Governour. From that again lies appeal to the Governor and Council who are as a Court of Chancery, And in the last place, for sums of 300£ or more from them lies appeal to the King.

The presents made by the Indians, in returne of those given them they said were very small, perhaps to the value of 40sh or 3£ in returne of one of the value of 200£. And those the Governors took ordinarily as their perquisites.

They further acquainted the Board that there is one Nelson, who had been long a Prisoner in Canada and is able to inform the Board very particularly of the strength of the French in that place.

Upon Enquiry about Mr Graham Atturney General at New Yorke, they said that he had been put in there in the Reigne of King Charles the Second: And was by the late King James removed to Boston, where (in the time of the Revolution) he was imprisoned but in the year 1691 upon a letter from the Committee of Trade and Plantations, he was restored to his place in New York'.

Correspondence between Governor Fletcher and the Government of Connecticut.

[New-York Papers, A.B. A.10.]

Gov. Fletcher to Gov. Treat.

New Yorke June 17th 1695.

Sir.

Her late Majesties royal letters under her sign manual bearing date at Whitehall the 22d of August last past, signifying her Royall Will & Pleasure that a Quota not exceeding 120 men with their proper officers shall be the measure of assistance to be given by the Collony of Coneticutt for the defence and security of the Province of New York, which said Quota of men her late Majty required and commanded you upon my application, to provide and send to be under my cômand and directions for my assistance in the defence of the said Province of New York; and finding it necessary for his Majesties service, in order not only to the security of this Province of New Yorke but other His Majts Provinces and Collonys in this part of his dominions; I do hereby apply my self to you accordingly that the said Quota of men, 120. with their proper officers vizt one Capt two Lieutenants & three Serjeants, three Corporalls and two Drummers be provided and sent to Albany by the first day of August next, in

obedience to the comand of her late Majesty and for his Majesties service in order to the general defence of this part of His Majᵗˢ Empire. I am Sir, Your humble Servᵗ

BEN: FLETCHER.

For His Majᵗˢ special Service
To the Hon: Coll. Robert Treat Govʳ
of the Collony of Coneticutt, these.

Gov. Fletcher to Gov. Treat.

New Yorke June 19ᵗʰ 1695.

Sir. By an express last night from the fronteers of this Province I have notice that a very considerable body of French are within a few dayes march of Albany. I do therefore again apply myself to you for your Quota of one hundred and twenty men and that they be forthwith dispatched to Albany for the security and defence of that place; it being much for his Majᵗʸˢ service, I connot doubt your compliance herein; I also send you an abstract of a letter from Maryland. I have not time to enlarge but am, Sir

Your humble Servᵗ
BEN FLETCHER

Superscribed. For His Majᵗˢ special Service.
To the Hon. Coll Robᵗ Treat.
Govʳ of Conecticutt, these

Governor and Council of Conn: to Gov. Fletcher.

May it please Yoʳ Excellency.

Your letters of the 17ᵗʰ of this instant wee have in Councill this day, wherein you say by virtue of a royall letter from her late Majᵗʸ you apply your self to us & you send for 120 men with a Capt. two Lieutenants three Sergeants three Corporalls and two Drummers to be at Albany the first of August next for his Majᵗʸˢ service for the defence of this part of his Majᵗˢ Empire; as also your letter of June 19ᵗʰ 95 is before us wherein you say by an express last night from the frontier of your Province that a considerable body of French with their Indians are within a few daies march of Albany and therefore you do apply yourselfe to us for our quota of 120 men forthwith to be dispatched to Albany for the security and defence of that place &ᶜ which wee have considered and wee do assure your Excellency that to this day we have not received one word from her Majesty wherein she lays any such command upon us. Yet notwithstanding we hope we shall be as ready to attend our duty to assist in the defence of his Majᵗʸˢ interest and our fellow subjects, as any of our neighbours whatsoever, but we desire not to be put to needless charge. For take it for granted that a party of French and Indians be come over the Lake, before we possibly can get up thither they will have done what mischeif they can do and be returned; which is alwaies their wonted custome. Besides we are of opinion that the quota of 120 men is to be required of us in proportion with the neighbouring Collonies & Provinces when there is an invasion made upon you by the enemy and not at other times. For indeed we are a poor people and God is pleased to frown upon us severall wayes by the sea side, as we hear, our Corn is much blasted and upon the river it is much of it like to be destroyed by the overflowing of the water; so that we fear whether we

shall have enough preserved to find the good people bread in this Colony. All which will induce us to be as good husbands as we can, and we do pray your Excellency upon these accounts to be favourable as you can towards us and put us to as little charge as may be. Besides your news from Mary Land gives an account that the French are sending all the force they can to give trouble and to damage in these parts, and we cannot but expect them upon our parts, they lying open to them more than New Yorke, and we having so little strength to oppose them & Yorke being well fortified we are afraid we may be in the greatest hazard of an assault by the enemy and may need helpe as much as any in New England, and if it so fall out we shall need your help which we hope you will readily grant us. Sir we pray you to put a candid construction upon these lines and be assured that when we understan our duty we shall be very ready to address our selves to the attendance of it: which with our service to Your Excellency we take leave to subscribe your humble Servts the Govr and Councill of Their Mats Collony of Coneticutt

Pr their order, signed
John Allyn Secretary

Hartford June 22. 1695.

For His Excellency Coll: Benj: Fletcher, Capt Generall and Govr in Cheif of their Majts Province of New York at Fort Wm in New York, this d'd:

Governr & Council of Conn. to Gov. Fletcher.

Hartford July 9th 1695.

Excellent Sir

Your letter of the 1st instant we received and therewith a Copy of Her Majestys letter and on the same day in the evening we received the original her Majts letter dated June 21. 1694.[1] in the sixth year of their Majts reign, whereby we understand the explanations and restrictions given to your Excellencys Cómission, and we shall accordingly attend their Majts comands and directions therein as there may be occasion, not only with our Quota, but with the whole militia of the Collony, when Their Majts service requires it. We shall not ad, but with respects and service rest your humble Servts the Governour and Councill of Coneticutt

pr their Order, signed
John Allyn Secretary.

Superscribed. For his Excellency Benjn Fletcher Esq. Capt. Genll & Govr of the Province of New Yorke &c at Fort Wm in New Yorke this dd. for his Majts service

Gov. Fletcher to Gov. Treat.

August 5. 1695.

Sir

I did acquaint you of three men run from my own Company of Granadiers, and sent a hue and cry after them; the men were taken up at Fayrefeild imprisoned and afterwards rescued by the people of the town, where I understand they are concealed. I sent a cômission Officer

[1] Ante, p. 106. — Ed.

with the Kings pinnace to bring them back, but the people refused to discover them untill he was gone. Sir there are also 14 of the new forces run away from Albany and are all sheltered in your Collony. I never did delight in blood, if it be only a principle of Compassion to the mens lives, I do ingage none of them shall suffer death for this fault only let them be returned, that the garrison may see there is no possibility to escape to prevent a greater inconveniency. I cannot think it prudence for your people to meddle in this matter, which is apparently to the hurt and prejudice of the King's service and their own ease and security. I did receive the intelligence of the privateer last night; I heard of her on Saturday afternoon when I ordered 33 of the Grenadiers of my own Company, on board, to strengthen the Richmond, who sailed yesterday noon. I hope other parts have done their endeavours and that the enemy shall be taken. Sir, His Majesty hath appointed the Quota of men 1198 from the severall Collonyes and Provinces on this maine, to be under my Command: it cannot be supposed for no end, and that the King's service can be benefited by your saying you are in readiness, unless you obey. I therefore persist in my application to you for one hundred & twenty men, with their proper Officers, to be forthwith sent to Albany, & that suitable provision be made for their subsistence pay and incidents. The reason of my application to you first is your nearness to the frontiers. I have take care for their releif from the remoter Collonyes and that the burthen fall proportionably as the King directs. I am Sir

Your humble Servant

Ben: Fletcher.

Governor and Counc: of Conn. to Gov. Fletcher.

Hartford Aug^{t} 12th 1695.

Excellent Sir.

Your letter of the 5th of this month is now before us, whereby we are informed of three men of your Excellency^{s} Company that are fled from New Yorke who were taken up at Fayrefeild and there imprisoned and afterwards rescued by the people of the town and concealed from your Officer &^{c} which is altogether unknown to us and very offensive to us, & shall be inquired into by us or our order, and according as it doth appear when examined they shall be dealt withall according to their demerrits. You also inform of fourteen of your new forces that are fled from Albany & sheltered in our Collony, which we must profess we have no knoledge of, and upon our inquiry as yet we can receive no such intimation: but upon your Excellencys notice we shall forthwith send out hue and cryes to seize all such persons as are suspiciously guilty of being such persons to be secured and returned. For we are of your Excellencys opinion that for us to be any wayes abetting or incourageing to such persons unlawfully withdrawing from His Maj^{ts} service, it is prejudicial to his Majesties interest and to the ease and security of his good subjects. Sir, we thank you for your care in sending forth and furnishing the Richmond friggat with men to go forth against the cômon enemy and we pray God grant them good success in expelling off the enemy that is upon our Coasts. Your Excellency is pleased to signify unto us His Maj^{ty} hath appointed a Quota of 1198 men from the severall Collonys and Provinces of this America to be under your comand; of which Quota ours you assert to be 120 men, and that you persist in your application to us that they be forthwith sent to Albany with suitable provisions to be made for their subsistence pay and incidents; to which we must say as formerly in our letter of July 9th 1695. that we stand ready not only with our Quota but the whole Militia of our Collony upon any invasion or necessity

requiring, to assist your Excellency to repell any enemy that shall molest any of his Ma^ts^ subjects, but we do understand by Her Maj^ts^ letter of the 21^st^ June 1694. in the sixth year of their reign that in this time of war our Quota is 120 men, which is the measure of the assistance to be given by our Collony and that your Excellency is not to comand or draw out more of the said Quota or Militia of our said Collony of Coneticutt that [than] your Excellency shall in proportion demand or draw forth out of the adjacent Collonys; and we are ready according to our proportion to send our aid upon demand with the rest of the adjacent Collonys. Besides we are this day informed from our neighbours of the Uper Towns that they were yesterday allarmed by the Indians there, the Enemy haveing assaulted and slain severall freind Indians and also destroyed two familyes of the English in one of the Northern Plantations near the river in the Massachusetts, so that we are allarmed that way, and of necessity some help should be afforded them or elce they will not be able to defend themselves. Besides our town of New London calls upon us for assistance there, so that upon the whole we request your Excellency to be as favourable as you may; not that we are unwilling to contribute to the releif of their Maj^ts^ subjects or to be guided therein by your Excellencys cómand, but request you would please to consider our circumstances. Besides in yours you do not tell us of any present hazards nor how long our men shall continue in Albany, and that you expect us to supply them with provision &^c^ which will be too hard for us to do; yet we should be glad to be acquainted with the whole of your expectations. We are not sensible of any present danger at Albany and haveing such supply of men already to keep garrison there as needfull, we think it not his Majesties intentions in his letter that his subjects should be burthened more than is needfull, neither do we see that we are bound to supply our men with provisions and other supplys when they are upon Their Majesties service out of our Collony. We have not to inlarge, but our service to your Excellency and that we are your humble servants The Governour & Councill of their Maj^ts^ Collony of Conecticutt

P^r^ their order signed

JOHN ALLYN Secretary

For His Excellency Ben: Fletcher Esq. Gov^r^ & Cap^t^ Gen^ll^ of His Maj^ts^ Province of New Yorke at Fort W^m^ in New York this deliver for his Majesties Service.

Gov. Fletcher to Gov. Treat.

New Yorke Aug^t^ 19^th^ 1695.

Sir

I received yours of the twelfth instant. I did signify to you that his Maj^ty^ had appointed from the provinces and Collonyes on this main 1198 men. You want not my assertion what your Quota is, haveing Her Maj^ts^ Royal Cômission to inform you His Maj^ty^ expects a ready and chearfull compliance. It cannot be supposed His Maj^ty^ can intend any ease or assistance to this Province by charge of maintaining 1198 men, which with their officers and incidents would amount to £30000 per annum. Sir Edmund Andross the Gov^r^ of Virginia has not thought fit to dispute the Royal cômands nor to ask a reason for my application to him, knowing that I am only accountable to his Majesty. I have ordered you herewith a copy of his letter. These forces from Virginia were designed for the releif of Yours the first of May next. I have taken the same care and measure of my applications to the other Collonys and Provinces

for assistance which I have to Coneticutt and if I can find any thing proposed by you that can answer the end I shall be alwayes as favourable to your people and ready for their defence as for any of his Majtys Collonys whatsoever, so that the charge of this intended assistance fall equally as designed. But to prevent further delay or excuse I do acquaint you that I have intelligence of the French being upon their march to besett Cadraqui with all the strength they can spare, and the Indians have desired our assistance; therefore I persist to demand your Quota and to make provisions for their subsistence pay & incidents, untill the first of May next pursuant to their Majts cômission, which you are required and comanded to give obedience to, according to the signification of their pleasure.

As for the run awayes that are sheltered among you I earnestly desire that care be taken to discover and send them back to their garrisons, if no assistance is to be expected from you pray let us not by your means have our forces diminished. I am, Sir,

Your humble Servt

Benj: Fletcher.

Gov. and Counc. of Conn: to Gov Fletcher.

Hartford Augt 29th 1695.

Excellent Sir

Your letter of the 19th instant is now before us, and [as] you inform us we are fully satisfyed of his Majts cômands and of our Quota, which is to be 120 men, as also that your Excellency hath speciall directions that you do not cômand or draw out more off the Colony of Conecticutt than you shall in proportion comand or draw out of the Millitia of the adjacent Collonys &c which we are ready to attend and join with you and them as occasion shall require; but for us to be called forth eight months or more before the rest are called forth we do not see the reason of it. We return you thanks for your promise of kindness or being favourable to us, so that the [Men &] charge of the intended assistance fall equally as designed, *which we have no great scruple, provided it be equally proportioned to attend.* As to the French their resettlement of Cadarackque it cannot be thought they are able to do anything there; 'tis thought the Indians may be sufficient to keep them off. Besides we understand by some of Albany that there is two hundred of the Friend Indians gone over the Lake to fall upon the French, which will put them upon their [other] considerations. But as to your persisting in laying your cômands upon us for our Quota of 120 men, we can say no other but that if your Excellency please to call for our Quota in proportion with the rest of the Collonyes & Provinces we are ready to do our part which we judge is as much as can be required of us.

Sir, we must plainly tell you that we are grown poor; we cannot possibly find 120 men nine months at Caderaque, with pay, provision, and other incidents; we cannot possibly do it, and therefore may not promise [to do] more than we are capable of doing, and yet would not fall short of our duty. At this time for our own defence and the releif of our neighbours up the River are forced to send up thirty men to their ayd, who are there now and must continue still. Besides the blast and unseasonable weather hath not only destroyed the principal of our cropp but hath disenabled us so that we are not capable of fulfilling your comands, and therefore desire your Excellency to consider some way for our ease. Sir, we could not deny them up the river aid, because it was upon our own defence, they being our frontiers, and are very much allarmed by the enemy, severall friend Indians being killed and some taken captive and five English being assaulted & one wounded very much in both his

arms [being broken] & shott into his body in going into their mill. Besides at another garrison at Billeri[k]a they burnt the house & killed ten and carryed away five more children, one man lost his wife and seven children there; Upon which we could not but send them some aid upon their earnest request; and we pray your Excellency [that] what are employed in this service be part of our quota *by their Maj^ts^ appointment.* As to your soldjers run from their posts we have sent out hue and crys to seize and return them & shall upon our utmost prevent their escape both now and for the future. Excellent Sir we shall not enlarge, but request your candid consideration of these lines and that you would please to be as favourable to us as you may, and be assured that we are your Excellencys most humble servants, The Gov^r^ & Councill of His Maj^ts^ Collony of Coneticutt.

Signed by Order
JOHN ALLYN Secretary

[Postcript Septemb^r^ 5^th^ 95 I was taken ill and so misd of y^e^ post for convayance I shall hasten an answer to yo^rs^ since Received as faste as I can by the next turne of y^e^ post.
R. TREAT.]

For his Excellency Benj^m^ Fletcher Esq. Gov^r^
& Capt Gen^ll^ of His Maj^ts^ Province of New
Yorke &^c^ and in Fort W^m^ in N. Y. this dd.

[On comparing the preceding with the Original Letter in *New-York Colonial Manuscripts*, XL., the passages in *Italics* are found wanting. The words within brackets are inserted from that Letter. — ED.]

Gov Fletcher to Gov. Treat.

N. Yorke Sept^r^ 2^d^ 1695.

Sir.

By the last post I did expect your answer to mine concerning yo^r^ quota and the deserters that are sheltered in your Collony; having received yesterday the inclosed propositions from Albany I am now with all expedition bound thither and constrained to renew my application to you and urge your dispatch in sending up your Quota of men with what is necessary, for them to meet me there. I had appointed the first of August last for their being at Albany, your nearness to that garrison puts a necessity upon me to call for your men at this juncture; I shall take care they be relieved by the remoter provinces in due time, and that the burthen fall prcportionably. I am, Sir,

Your humble Serv^t^
BENJ: FLETCHER

Coneticutt. For His Maj^ts^ Service
To Coll. Rob^t^ Treate Gov^r^ of
Coneticutt Collony, these.

Gov. and Counc: of Conn: to Gov. Fletcher.

Hartford Septr 10^th^ 1695.

Excellent Sir.

Your letter of the 2^d^ instant we have received and considered your renewed applications for our sending up our Quota of 120 men with what is necessary for them to meet you at Albany,

and you will take care that they will be relieved by the remoter Provinces in due time: to which we give this our answer, We did in ours of 29th August last, vizt that if your Excellency please to call for ours of the Quota in proportion with the rest of the Collonyes & Provinces concerned, we are ready to do our part according to his Majts cômand, which we are ready to conceive is it[1] his Majesty doth expect from us. It seems to be unreasonable that we should be called upon for our whole Quota of men, and that none of the rest of the Provinces should be called to send theirs at this juncture, especially seeing you are designing them to Cadaraque a place so remote, where the charge will be so great to grant them any suitable supplys for the subsistence of those that shall be appointed there this winter season. We know not what farther to say, and hope this may satisfy your Excellency. But our Generall Court being near, if you please to move them to consider of your motion. If God will, they will meet on the second Thursday in October next by whom you may receive their resolves in this, or what other you shall see reason to mention to them &c In our former we told your Excellency what charges we were at in serving[2] our frontiers up the River, which we are ready to believe is that as will be acceptable to our superiors at home. Also as to what you mention of our Covenant with the Indians to go hand in hand with them in their defence, we are ready to do our duty and will not be wanting to answer what we have engaged with the rest concerned with us. We have not to ad, but our respects and that we are, Your humble Servts

By Order of the Govr and Councill of Coneticutt

JOHN ALLYN Sêcry:

These for his Excellency Coll: Benjamin
Fletcher Esqr Govr in Cheif & Capt Genll
of his Majtys Province of N. Yorke &c
at Fort Wm in N. Yorke, this.—

(Indorsed)

"Acct of what letters passed between
"Coll. Fletcher, & Conecticott Collony.
Delrd to the Board by Majr Genl
Winthrop Septr 12th 1696."

Journal of Major General Winthrop's March from Albany to Wood Creek.

[New-York Papers, A.B. A.11.]

In pursuance of a comission from the Govr of his Majestyes Collony of Conecticot to command the forces designed against Canada, I set forwards from Hartford on the 14th of July 1690. and in seven dayes, by a tedious martch through the difficult and almost impassible parts of the wilderness, I arrived at the Citty of Albany with the additionall forces of Conecticot; Captn Joseph Fitch and Captn Johnsons companyes being commanded thither some time before. Here I found the designe against Canada poorely contrived and little prosecuted, all things confused and in noe readiness or posture for martching the forces towards Canada, yet

[1] "it is that". Original Document in *New-York Colonial Manuscripts*, XL. — ED. [2] "securing". *Ibid.*

every one disorderly projecting something about it. Here I found a great defect in the compliment of New York forces, not above 150 of the men engaged at New York May 1st wch obliged 400.

On the 29th of July the Revd Mr Walker of Woodbery who accompanyed me by the desire of the Govr to preach to the army and Mr Chancy Chaplaine to the Forces sent before me, returned to Conecticot to waite upon the Govr with my letters, and report the difficulty of our affaires and increaseing of the Small Pox in the Army, many being dead in the several Companyes.

On the 30th of July I gave order to three Companyes of Conecticot and a Company of their Indians to martch to the Flats about foure English miles from Albany, the Dutch Companyes being two dayes martch before them; they made their way North and North by East.

Augst 1st early in the morning I followed the army and quartered this night at a place called the Still Water soe named for that the water passeth soe slowly, as not to be discerned, yet at a little distance both above and below is disturbed and rageth as in a great sea, occationed by great rocks and great falls therein: We made our way North and North and by East.

Augst 2d We martched forwards and were overtaken by a post with letters from the Govr of Boston & Conecticot signifying the readiness of the Fleete to sayl towards Canada; and quartered this night at a place called Saratogo, about 50 English miles from Albany, where is a blockhouse and some of the Dutch soldiers. At this place I overtook Mr Wessells Recorder of the Citty of Albany and a Company of the principall Gentn vollunteers of that Citty. At this post I received letters from the Mayor of Albany,[1] then up in the Country, that Cannooes were makeing for the army. Thus far the way has bin very good; onely foure great wadeing rivers, one of them dangerous both for horse & man. This day I sent Capt Nicholls with some horse to Albany to hasten our provition; our course North East & by North.

Augst 3rd Wee still continue here by the side of Hudsons River where it is fordable and had notice our provition was comeing up to us, part of the way in waggons and then in canooes.

Augst 4th I consulted with the Officers and 'twas concluded to martch forwards, and then devided our provition, wch was about 35 cakes of bread for each souldier besides pork which was scarce eatable. At this post I left Lieutenant Thomas Avery with some soldiers to guard our provition to us, wch was comeing up ye river. From this place the burgers and Dutch souldiers carried their provition up the river in birch canooes, and the English souldiers theires on horses, being noe more canooes. We martched eight English miles this day, and quartered near the Dutch companyes, at the Litle carying place,[2] where the water passeth soe violently by reason of the great falls and rocks that canooes cannot pass, soe were forced to carry their canooes & provition on their backs a pretty way to a passable part of the river: our Course N. by E.

Aug. 5th the English soldiers marched with their provition on horses to the Great carying place,[3] about 8 English miles from the Litle carying place, where we overtook the Dutch companyes, carrying their canooes and provition over the Great carrying place on their backs about 12 English miles; very bad & difficult passing. This hardship the Burgers & Dutch souldiers performed vigorously and without any repining wch made me think noe thing would be difficult for them to performe. Our way this day a continued swamp, abounding with exceeding tall white pine fit to mast any ship. Noe gras for our horses this day; our course has bin North.

Augst 6th We marched over the carying place about twelve English myles, and encamp at a

[1] Peter Schuyler. — Ed.

[2] Fort Miller. — Ed.

[3] The road from Fort Edward to Fort Anne, Washington county, was called the Great Carrying Place. — Ed.

branch of the Woodcreke called the Folk [Fork] that leads into the Lake and is accounted part of the Lake water, as it constantly payeth its tribute; in this Creek canooes pass into the Lake called Curlers Lake and soe to Mont Royall, & thence to Quebeck. Our way a continued swamp of stately white pine. From this place horses can pass noe farther. Our course this day East North East.

Augst 7th I sent 30 horse under the comand of Ensigne Thomlinson to Sarotogo for more provition, and leaving the forces at this place under the care of Capt^{n} Nicholls I passed down the River, takeing Capt. Fitch & Capt^{n} Prentis with me and two files of Musketiers in birch canooes, managed by some of the Burgers, and the New England Indians martching by the river side comanded by Capt^{n} Stanton to the Wood Creke or Houtkill, where I had intercourse with the Mayor of Albany, the Burgers and the Maquaes Captaines. Here I encamped on the North side the Wood Creek; our course this day, North East.

Augst 8th I called a Councell of Warr and treated with the Maquaes Sachems and their Cheif Captaines, and delivered to them that I was sent hither from all the governments of New England for their Majestyes service against the French and Indian enemyes, and am to put them in minde of the ancient freindship betweene the English and the five Nations, and doe now ask their advice for the best way to prosecute the war against Canada. Upon which they seperated and consulted a considerable tyme and then answered by a Cheif person of each nation, that they had considered the proposition, and did leave it wholy to our selves to order about it. It was then thought by the Councill of War that this answere did not suffitiently engage them in the designe against Canada. It was farther proposed to them that they would give advice what number would be proper to send out for scoutes to finde the other Nations who were to meet at Fort La Mot; they answered upon long consideration that they advised the whole army to martch; which did not appeare possible to the Councill of Warr.

Augst 9th We still encamp here, where Capt. Johnson returned to me, whom some dayes since I sent to Albany to pres the Commissaryes for a farther suply of provition; but noe thing considerable could be procured; and my letters from the Commissioners of Allbany did assure me that provition is not to be had upon the place. Capt Johnson allsoe gave me account that at his coming from Albany, a Dutch souldier came from Arnout the interpreter, then up in the Senocks Country, and was to goe with them and the other Nations to meet at Fort La Mot; and informed that by reason of the Small Pox soe generally among them they could not comply with their promise of soe many hundred souldiers, that the Great God had stopt their way; which was the expression they used. This newes did a little dishearten the Burgers, who freely offered themselves in the designe; but haveing noe letter from the Comissioners at Allbany of this matter I dispatcht an expres immediately to know farther therein.

Augst 10th I am informed that the souldiers w^{ch} I left at the Fork about 12 miles distant were taken sick daly.

Augst 11th I desired the Mayor of Allbany a person of the greatest intrest in the Indians, to take with him a Company of the Burgers and the Cheif Capt^{s} of the Maquaes and 15. of the New England Indians, to goe downe the River about six miles lower, to try if more canooes can be made. This day I sent the Dutch Doctor to visit the souldiers w^{ch} I left at the Fork, who tells me that Lieu^{t} Hubble is sick of the Small Pox and others likely to be taken, and some are sick of other distempers.

Augst 12th A very rainy day and about five of the clock in the after noone I received letters by an expres from the Gov^{r} of Conecticot & the Comissioners at Allbany confirming the report of Arnouts returne from the Upper Nations.

Augst 13th I sent for the Mayor and Maquaes Captaines from below the River, the tyme being soe far spent, the barke would not peele, and soe noe more canooes could be made. Upon his returne I called a Councill of War, most of my officers being present, and the Cheif Captaines of the Maquaes, to whom I mentioned as is written in a paper the same day.

Augst 14th Wee discourst farther with the Great Captaines of the Maquaes; the account thereof is in a paper written the same day.

Augst 15th This day findeing noe possibility of getting provition to support the forces here any longer, and that here was not Canooes to transport half the Christians, and that wee could not by any meanes at this port, eyther alarme or spoyle the enemy; it was thought most adviseable to returne with the army; haveing first given order to Johannes Schuyler brother to the Mayor & of great vallew to the Indians to take under his command 40 Christians such as he should think fit, and 100 of the Maquaes, Skataco, and River Indians, and enter into the enemyes country, and soe to Laprere De Magdelena one of the neerest places wee could expect to surprise any of the enemy. This afternoone having dispatched Capt^{n} Schuyler and spared him what provition we could, wee returned to the Fork, and the Doctor haveing taken the best care that was possible to remove Lieu^{t} Hubble and the sick souldiers, we martched to the head of the Wood Creek, and in the evening he dyed.

Augst 16th This morning wee buryed Lieu^{t} Hubble with all the respect wee could; a very good and expert Officer. After this ceremony we martched over the Great carying place twelve myles, with one of our souldiers sick of the Small Pox, upon a litle frame caryed by 4 souldiers at a tyme.

Augst 17th Wee martched to Saratoga many of our sould^{rs} being sick and lame.

Augst 18th Wee marcht to the Halfmoone about ten miles from Albany

Augst 19th Here I leave the forces under cômand of Capt^{n} Fitch and goe myselfe to Allbany to consider the most convenient and safe quarters for the sold^{rs} the Small Pox being yet in severall places nere the Citty

Augst 20th . I sent orders to Capt. Fitch to martch the forces on the South side Hudson's River to the Greene Bush within sight of the Citty.

Sept. 2^{d} Capt Johannes Schuyler with the party of Christians & Indians w^{ch} I sent out from the Camp at the Woodcreek returned to Allbany haveing been at La Prere de Magdalene, they kill'd 12 men and took 15 men and 4 women prisoners.

Sept 3rd I sent an expres to the Gov^{r} and Councill of Conecticot to give acc^{t} herof.

Sept 5th Haveing no post from Conecticot and the season very cold and noe shelter for the souldiers who were poorely clothed, I sent Capt^{n} Nicholls to the Gov^{r} & Councill for speedy orders

Sept. I have letters from the Gov^{r} and Councill at Hartford, and orders to march the forces of Conecticot to Hartford

(Indorsed) "New York
"Maj^{r} Gen^{ll} Winthrop's Journ^{l} of his
"march from Albany towards Canada
"in 1690.
"Rec^{d} Sept. 18th 1696."

Representation of Messrs. Governeur and Leisler respecting the Government of New-York.

[Journal, IX. 106–109.]

Whitehall September 16th 1696.

At a meeting of His Majesty's Commissioners for Trade and Plantations.

PRESENT — Earl of Tankerville, Mr Locke, Mr Pollexfen, Mr Hill

New Yorke Gouvernier & Leisler

Mr Abraham Gouvernier & Mr Jacob Leisler mentioned the 11th of this Month, offered themselves to acquaint the Board with what they know relating to the State of New England and New Yorke: And upon divers questions asked them answered to this purpose.

That the state of New Yorke is indeed miserable. But that wholly from the conduct of the Governour and Council who instead of treating with the Indians about business, treated with them about the Gouvernour's titles.

Mr Gouvernier said that he came from New England in January last, and was at New York in 90, and 91, in Colonel Slaughter's time. That upon Colonel Fletcher's coming thither in 92, the old Assembly being dissolved he called a New one: But forc'd the Electors to chuse whom he pleased by vexing and imprisoning those that oppose his intentions. In 94 another assembly was called: Who being worthy men he soon dissolved. And again in 95, he called another, in the Election of which he caused Soldiers and Seamen to be drest in countrymen's clothes, and arm'd and made them vote and deter the Inhabitants that would not vote as he desired: And he hath kept people in Bonds that would have come over to represent these and their other grievances: But that some were coming over in the last Virginia Fleet, but were taken in the way by some of Monsr Nesmond's Squadron, and afterwards retaken and carried into Holland, from whence it is uncertain when they may come.

They said that in the whole Province of New Yorke they beleived there may be about 8 or 9000 Families. That the Militia might be from 12 to 14 000 this was in the year 89. At which time Mr Gouvernier said he was imployed in the Secretary's Office there, and had oft seen the Muster Rolls, but he beleived that since that time 150 Families may have removed out of the Province, compelled thereto by the oppression of the Governour and his harassing them in detachments to Albany 300 at a time. They said that the inhabitants did all the service: The King's Soldiers were of no use: Twenty men were sufficient to keep that Garrison. And the money raised upon that Province, by the General Assembly, for the charge of the Warr, since the year 90 to the end of 95, they reckon'd might be about 40000£.

Concerning the Presents made the Indians, they said it was don sometimes once a year sometimes twice. That the greatest that ever was given till 89, did not amount to above 150£. It was no more then, to Mr Gouvernier's certain knowledg: for it went through his hands. All the presents made since Colonel Fletcher's coming there (now about four years) they reckon'd to be worth 1000£. And the returns made by the Indians they said were usually of more value than what given them: And always given as to the King.

They said that the Indians (our freinds) were offended that he had not given them the assistance promised, which should have been cheifly men to joyne with them against the French

Indians their Ennemies. Those Freind Indians come frequently to Albany and buy guns and ammunition there. Many in that country understand their language; cheifly Arnold Cornelisse Ville, who had been interpreter, but was turned out because he had been concernd in the Revolution in opposition to Captain Ingoldsby. The Trade with the Indians they said was much gone to Canada: because part of the Mohaques were joynd with the French.

The French Fort of Cadaraqui they say is 150: or 200 miles Northwest of Albany. Governour Leisler (this M[r] Leisler's Father) pulld it down; but the French have rebuilt it of stone Schenectidy is in the way to it.

There are very great feudes in the Country, ever since the Revolution. Those who joyn'd with Governour Leisler in it are 19 to one; But now oppressed and kept out of all manner of place or employment in the Government. This Gouvernier was condemned with Governour Leisler (who was executed) M[r] Chidley Brook lately sent from thence was one of their Judges. But tho' the Parliament here have reversed the Attainder, both M[r] Leisler and he are kept out of part of their Estates.

After these discourses were desired to draw up in writing an exact Memorial of whatever they knew relating to the state of that Country, and to give it to the Secretary: But charged to be sure to put in nothing but what they can justfye. Which they promised accordingly to do.

Governor Fletcher to the Lords of Trade.

[New-York Entries, A. 43.]

Collonel Fletcher's letter to the Lords of the late Committee dated the 17. Sept[r] 1696.

May it please Your Lordships.

River Indians return'd from Canada with a prisoner and a Soldr's scalp

Since my last by way of Maryland nobody of the Enemy did appear, a small party of our Indians returned from Canada with one prisoner and the Scalpe of a Soldier.

French Indians kill a man and wound another

About ten days ago a sculking party of French Indians killed a man and wounded another near Schenectady.

A party of the upper nations fell upon some French and killed several of them

A party of the upper nations returning from Canada mett the French army in their retreat and fell upon a party in their reare and killed several of them and were hotly pursued but escaped.

He is going to Albany to meet the 5 nations.

The Onondages are returned and have sent to me to desire I will meet them and the five nations immediately at Albany; I am this day to embarque.

He hopes to secure the Indians by an addition to H. M's present.

I have added upon this occasion considerably to the present sent over by the Gracious favour of His Most Excell[t] Maj[ty] and hope I shall rivet them in the affection of His Maj[tys] interest.

Necessaries for the Soldrs given by the Assembly

I take with me shirts, coats and shoes for the comp[nys] to the value of £500. which was given them by the Assembly of this Province for their encouragement.

No Indian corn to be brought down the river till April next.

I have with advice and consent of the Council of this Province issued a proclamation prohibiting any Indian Corne or pease to be brought down the River until April next, that the Indians may be first supplyed in their extreamity

a Prize drove upon their coast

Since I came last from Albany, arrived here a ship from Jamaica, the Sarah and Elenor which with other six saile homewards bound were taken by a French Squadron of ships near Hispaniola under Convoy of a small French Privateer being bound for France, were met by a storme wherein most of them lost their masts and were seperated, this vessel being drove upon this Coast was Piloted into this harbour the Master being dead and no other Officers on board. I did appoint four Merchants here to have the care and oversight of the ship and loading for the Merchants and owners, she is reported to be of £8000. value.

Intelligence abt the French.

There were ten Frenchmen on board whom I have disposed of into sundry vessels to be exchanged as prisoners of war; they do report that the French squadron had taken a Gallion with 900,000 peices of eight, they were before S^{t} Domingo and threw some Bombs but were beat of, they went up the Coast of Jamaica I have heard no further concerning them.

Newport Gally and Pemaquid Fort taken by the French

Two French men of warr have infested the coast of New England have taken the Newport Gally and Fort of Pemaquid, I have advice from the Lieut^{t} Gov^{r} that he understands from the Prisoners who are relieved that the Gov^{r} of Canada

The designe upon Albany

has positive orders to attack Albany; I shall not be wanting in my care to defend

He can get no assistance from his neighbours

and secure it, but am not able notwithstanding the many applications I have made to obtain one man from Connecticutt or the Jerseys or Pensilvania.

He has the King's tenth's of a French prize valued at 350£.

Capt^{n} W^{m} Kidd Commander of the adventure Gally did sail from hence 12. dayes agoe having 150 men on board, in his way hither he tooke a French Banker which was condemned here and appraised at 350£. I have the King's tenths and shall account for it as the Lords of the Admiralty direct.

Laws and other publick papers transmitted.

I have herewith transmitted the Minutes of Council and acts of the Assembly with duplicates of what was sent by way of Maryland, and now add a copy of M^{r} Livingston's petition and the opinion of the Council of this province thereupon, which with all the circumstances of affairs in this province will be respresented to his Maj^{ty} and Your Lord^{ps} by M^{r} Brook and M^{r} Nicoll.

Stores and subsistence

I must humbly renew my application for a yearly supply of stores of warr and the payment of subsistence for the four Comp^{nys} being all the force I have to depend upon in this Province — I am, May it please Your Lordships — Your Lord^{ps} most dutiful most obedient and most humble servant

New Yorke Sept^{r} 17th 1696. BEN: FLETCHER

Governor Hamilton to Governor Fletcher.

[New-York Papers, A.B. B. 87 & 88.]

May it please yo^{r} Excêll.

I have formerly acquainted yo^{r} Excêll. that I had set some young men who had been formerly to Albany to invite others; they now informe me that Captain Matthews is soe much in their good graces that if he come down he is the likelyest man to prevail. I would have him first finde out Matthew Moore of Woodbridge who was of his Company. He knows the temper of the young men and can the best assist. They must be soothed into it; for asserting

the power of the Commission will make them all run the Province. I am really ashamed grieved they are so awkward; they still object the exemption or noncomplyance of the neighbouring Colonies, nor will this ever be remedyed unlesse the support of the fronteers reaches all North America: as it is the remoter Colonies are soe many asylums. I am with true regard; may it please yo^{r} Excêll.

Yo^{r} Excell most faithfull & most
obedient servant
AND. HAMILTON[1]

Burlington 26th June (96)

Copia vera
(signed) DAVID JAMISON Cl. Concilij.

Governor Hamilton to Governor Fletcher.

[New-York Papers, A. B., B.38.]

May it please Yo^{r} Excêll:

Could I make our people as sensible of the hazard Albany lyes under, as I am, and that the weaknesse of that garrison, which they cannot be ignorant [of] may in great probability tempt the enemy to attack the place, as they have Pemaquid, upon the same grounds, I am sure they would find it their interest to run to its defence; but whom have I to work upon but a stiff and an obstinate people who shutt their ears to all reason and become debauched by the ill example of the neighbouring Colonies which they still obtrude to me.

Yo^{r} Excêll. may beleive 'twas with great difficulty I obteined what I did, that in case of an invasion they should march to the fronteers and be at liberty to return when the accón was over or the enemy retreated; and even to obtein this I was forced to promise them 12^{d} a day from Yo^{r} Excêll. and pledged my own creditt to procure them 12^{d} more at the first sitting of an

[1] ANDREW HAMILTON, originally a merchant of Edinburgh, emigrated about the year 1685 to New-Jersey, which province he had previously visited, as special agent of the proprietors. He was one of the Council of Lord Neil Campbell, whom he succeeded as Deputy Governor in 1686. On the deposition of Andros, in 1689, Hamilton embarked for England, in order to consult with the proprietors, but was taken prisoner on his voyage and detained some time by the French. He was appointed Governor of New-Jersey in 1692, in September of which year he returned thither. Whilst he was in England, Thomas Neale obtained a patent to establish post offices throughout the American Colonies, and on the 4th of April, 1692, appointed Mr. HAMILTON his deputy for all the Plantations (*New-York Commissions*, II. 33, 40), who brought the subject before Governor Fletcher and the New-York Legislature in October following, by whom an act was immmediately passed "for encouraging a Post Office" *Council Minutes*, VI. 52, 66. The credit of devising this scheme for the establishment of post offices in the Colonies belongs, therefore, to Governor HAMILTON, and not to his son John, as some suppose. On his return to this country, Mr. H. continued to administer the government to the satisfaction of the Crown and the People until 1698, when an act of Parliament was passed, which, it was presumed, required all persons holding any place of profit or trust to be natural born subjects. Governor H., being a native of Scotland, was in consequence superseded, and returned again to England in the spring of the year. He was, however, restored to his office in 1699. He appears to have been a man of intelligence, who deserved and possessed the confidence of all, and was more esteemed in the province than any of his predecessors. He administered the government of New-Jersey but a brief period after this, having been appointed Deputy Governor of Pennsylvania on 1st November, 1701. He died in Philadelphia, in January, 1709. His first wife was Ann, the widow of Robert Wharton of New-York, and daughter of Deputy Governor Rudyard, and he left one son, John, who subsequently held several offices in New-Jersey. *Whitehead's East Jersey under the Proprietors.*—ED.

Assembly, they live so plentifully at home and have so great wages besides severall of our youth gone to the Southern Colonies to be free from detachments, and several as I am told gone aboard Captain Kidd, that there is not a possibility to prevaile with them to continue in garrison, and indeed very difficult to effect any thing.

I am truly melancholly to see our selves thus baffled by a handfull of French nor will it ever be otherwise untill the Crowne send a force to root them out of America or put an indisputable command upon every Colony to furnish a Quota and pay them; for while it rests in the brests of our Assemblyes to raise a fund for the support of the fronteers or neglect it, and in the choice of the people to march or stay at home, Yo^{r} Excêll. is not to be told at this time of day what part they'le choose.

I will notwithstanding call an Assembly in Octob^{r} next and will inforce the necessity of the fronteers with all the zeal I am sensible they require. I am,

May it please Yo^{r} Excêll.

Yo^{r} Exciês most faithfull and most obedient servant

Burlington 28 Aug. 96. AND: HAMILTON

To his Excell. Col Benjamin Fletcher, Cap^{t} Gen^{ll} & Govern^{r} of New Yorke, these.

Copia vera
(signed) DAVID JAMISON Cl. Concilij.

Petition of Robert Livingston to the Governor and Council of New-York.

[New-York Papers, B. T. VI. 303.]

To His Excell: Benj: Fletcher Gen^{ll} and Govern^{r} in Cheife of His Ma^{ts} Province of New Yorke and Territories depending thereon in America, and Vice Admirall of y^{e} same &^{c} and y^{e} Hon^{ble} Councill.

The Humble Petition of Robert Livingston.

Sheweth.

That your Excell. petitioner haveing by severall petitions to there Excell: the Lords Justices of England, the Right Hon^{ble} y^{e} Lords of y^{e} Cómittee of Trade and Plantations most humbly represented unto them that there was due by y^{e} government of New Yorke unto your Excell. Petitioner the severall summs hereafter specifyed, to witt £527 19 3½ for disbursements for y^{e} officers and souldiers of y^{e} two foot Companies at New Yorke in the reign of y^{e} late King, as also £233 9 10. expended by him for y^{e} support of y^{e} garrisons at Albany at y^{e} time of y^{e} late happy Revolution, and also y^{e} summe of £388 8 7. to y^{e} officers and souldiers at New Yorke employed in y^{e} expedition against y^{e} French in y^{e} year 1687; whereupon there Lordships were pleas'd to recommend y^{e} allegacóns of y^{r} Excêll: petitioner therein expressed

relateing to y^e^ said summs unto his Most Excellent Majesty, with there Lordships opinion that in case it shall appeare to your Excell: and Councill y^t^ y^r^ Excell: petitioners allegacôns to y^e^ s^d^ summs are true, that your Excell: petitioner be forthwith reimburs'd y^e^ same, preferable to all others, out of y^e^ money ariseing by an Act of Gen^ll^ Assembly entituled An Act for y^e^ satisfyeing and paying y^e^ debts of y^e^ Government, passed in March 169⅔. Your Excell: Pet^r^ in most humble obedience of his Most Excell^t^ Ma^ts^ order in Councill, bearing date y^e^ 21^th^ of Novemb. 1695. brings here unto your Excell: and Councill the vouchers and proofs that your Excell. Pet^r^ has for y^e^ s^d^ summs viz^t^ for y^e^ first sûme of £527 19 3. a certificate under y^e^ hand of Coll. Cortlandt one of y^e^ members of His Maj^s^ Council, bearing date y^e^ 6^th^ day of May 1691: for y^e^ somme of £490 19 2¾, and for y^e^ somme of £25 12 4½ y^e^ particular acknowledgements under y^e^ hands of y^e^ respective souldiers to whom y^e^ said somme was advanced, and for y^e^ somme of eleven pounds seven shillings and eight pence, and acknowledgement under y^e^ hand of y^e^ Leif^t^ Sharpe, to whom y^e^ same was paid, makeing in all y^e^ afores^d^ somme of £527 19 3¼ And also your Excell: Petitioner brings further his vouchers, for y^e^ afores^d^ somme of £233 9 10. to witt for y^e^ £200 being allowed to your Excell: Petitioner by y^e^ Committee of y^e^ Representatives upon his proper account, as more particularly appears by an order of your Excell. and Councill for y^e^ payment of y^e^ same; and for y^e^ £33 9 10. being y^e^ residue of y^e^ said summe, appears to be due to y^r^ Excell: Pet^r^ by an assignment of Joseph Yetts to whom y^e^ s^d^ somme is due. Your Excell: Pet^r^ therefore humbly prays y^t^ your Excell. and Councill would be pleased to permitt your Excell. petitioner to exhibite the afores^d^ prooffs now ready to be laid before y^r^ Excell: and Councell for y^e^ maintaining y^e^ allegations in y^e^ s^d^ peticôn expressed, and likewise y^t^ y^r^ Excell: would be pleased to issue y^r^ Excell warrant for y^e^ payment of y^e^ aforesaid respective summs, according to y^e^ direction of his most Excell Maj^y^ in Councill, and likewise y^t^ y^r^ Excell. & Councill would be pleased to recommend unto y^e^ Generall Assembly y^e^ other somme of £388 8 7 mention'd in His Most Excell. Maj^es^ said order, y^t^ effectuall care may be taken with y^e^ Assembly for the satisfyeing y^r^ Excell: Petitioner therein, according to His Maj^es^ most gracious favour extended to your Excell. Petitioner by His Maj^es^ said order. And whereas your Excell. Pet^r^ did further alleadge that there was due to y^r^ Excell. Pet^r^ £900. for subsisting His Maj^es^ forces in New Yorke and Albanie till Novemb^r^ 1694. your Excell: petitioner is inform'd since his arriveall here, y^e^ same has been paid unto Colonell Cortlandt, who was an equall sharer with your Excell: Petition^r^ therein, tho' at y^e^ same [time?] of y^r^ Excell. Petitioners departure from this Province there was due to y^r^ Excell. Petitioner in manner aforesaid y^e^ s^d^ somme of £900 as y^r^ Excell. Petitioner is now ready to make appear under the s^d^ Colonell Cortland's hand; but y^e^ same being paid, y^r^ Excell Petitioner hath no further to say, but as in duty bound shall ever pray

Rob^t^ Livingston.

N. Yorke y^e^ 10^th^
Septêmb. 1696.

Report of the Council of New-York on Mr. Livingston's Commission.

[New-York, B. T., VI. 299.]

At a Council held at His Ma^ties^ Fort in New Yǫrk the 15^th^ day of Septemb^r^ 1696.

PRESENT— His Excêll. Benjamin Fletcher &^c^

M^r^ Robert Livingston did tender his commicón to his Excèll. in Councill, which was read and severall of the members of Council objecting that his allegacòns upon which he has obtain'd the same are false, and that he is an alien born

It is ordered, the whole Councill be a Committee to consider what is to be done therein p^r^ Order

DAVID JAMISON Cl. Concilij.

In obedience to the above reference we have duely considered His Most Sacred Matyes Commicón to M^r^ Rob^t^ Livingston granted upon his peticón whereby he is confirmed in his severall imployments of Collector of the Excise, Receiver of the Quitt Rents in the County and City of Albany and Town Clerke of the Peace and Clerke of the Comòn Pleas there, and in the execution of his office of Secretary or Agent for the government of New Yorke to the Indian Nation and that the fee or sallary of one hundred pounds sterling p^r^ Annum be allowed to him as a recompence of his past services and for his future encouragement in the diligent performance of the s^d^ imployment.

We humbly offer that in the imployment of the Collector of Excise, Towne Clerke at Albany, Clerke of the Peace and Clerke of the Cómon Pleas there, the said M^r^ Livingston has officiated for severall years past, for which he has been sufficiently rewarded by the severall fees, perquisites and sallaryes thereunto belonging, by which and other imployments of the Government he has attained to a very considerable estate; in soe much that thereby he has raised himselfe from nothing, to be one of the richest men of the Province.

As for the office of Rec^r^ of the Quitrents, the same has been alwayes performed by the sheriffs of the severall Countyes; and for the Office of Secretary or Agent to the Government to the Indian Nations, We humbly offer that there never was any such officer as Agent or Secretary to the Indians, all treatyes betwixt the Government and the Indians having been performed in a most solemn manner by the Governours themselves in person, or upon some occasions of small moment by the Commanders in Cheife or Magistrates of Albany by speciall direction and instructions for the same.

And all that M^r^ Livingston can pretend to have done therein, was to render from Dutch into English what passed at the conferences, which has, for more than fourty years past, been the duty of the Town Clerke of Albany as appendant to his Office; nor was the s^d^ Livingston sent on any publick message or ever had any power of Agency to treate with the Indians, having no knowledge of their language, or influence on the Nations, and so alltogether uncapable of doing the Crown any manner of service for that Sallary, which amounts to the full three fourths of the whole revenue of Albany, so will fall heavy upon that poor Province, His Matyes revenue being greatly in debt and much impair'd by the present war, which has occasioned sundry extraordinary and unavoidable expences for the support of the Government, so that it will not now extend to defray the contingent emergencyes thereof and those moderate

sallaryes settled on such Officers as this government cannot want, who are, many of them, in arrear throw failure thereof

We also humbly offer that said Livingston is an alien, born of Scotch parents in Rotterdam and no native borne subject of His Mâtyes kingdome of England or Ireland or of His Mâtyes territorys or Dominions in America, and soe consequently disabled from executeing any place of trust relateing to the Treasury, by a late Act of Parliament made in His Mâtyes kingdome of England in the 7th and 8th year of His present Majestyes reigne, as relation being thereunto had may more at large appear intituled an Act for the preventing frauds and regulateing abuses in the Plantation Trade: all which premisses duely considered:—

We are humbly of opinion that this our Report should be humbly laid before His most Sacred Majesty, and that sd Livingston be suspended the benefite of his said sallary and acting as Agent or Secretary to the Indians any other ways than as it belongs to the Town Clerke's Office, as also from his receiving the Quitrents and Excise untill His Mâtyes royall pleasure be further knowne

(signed) S. V. Cortlandt
N. Bayard. Frederyck Flypse
Wm Smith.
Caleb Heathcote.
Wm Pinhorn G. Minvielle.

Governor Fletcher to Mr. Blathwayt.

[New-York Entries, A. 44.]

Letter from Coll: Fletcher to Mr Blaithwayt dated the 18th of Septr 1696.

Sir.

I am not willing to take up much of your time by my scurvy scriblings; having said all that ocurrs to my thoughts in this hasty call from the Five Indian nations, who have been driven by the French from their wooden castles and are returned; they desire to see me at Albany in a very short warning and I am now ready to step on board. The French Count of Canada has made but a very silly businesse of it after three years preparation afrighting a few naked Indians only; by this, he shews them his strength and his mercy, being this summer recruited from France, he told all he took prisoners, his business was to bring them under the protection of His Master but not to destroy them. Our Cheife Sachims would not be perswaded to stay and treate, but seeing his force, they fled and are now return'd. I hope to revitt them in their allegiance, by the presents sent from His Majty and an addition from this province; but yet I want the most cougent argument; a good body of men I have always said, and must persist in it; that five hundred is the least that can be thought a sufficient guard for those fronteers. But not one man could I get upon repeated applications to our adjacent Colonies, when I had intelligence that the French Count was upon his march towards Albany with three thousand French and Indians.

Expedition of the French against the 5 nations of Indians.

500 men necessary to guard the fronteers.

No assistance from their neighbours.

I was necessitated with a detachment of my own company to hasten up thither, where I had no other force but the three Companies in His Majtys pay—the Count did civilly retreat. Tho' I am informed from Boston those French Captains who with the Indians tooke Pemaquid, did say the French King had sent positive orders to the Governour of Canada to take Albany without that exception if he could get it.

Want of Stores and assistance.

But I am under hard circumstances, no stores of war sent from England, no assistance from our neighbours embarked in the same Bottom, which I humbly desire you will please to represent to His Majesty and the Lords.

Three Lieutenants have given up their Commissions

I have spoke to Mr Povey of three Lieutts who in effect deserted, they refused to serve, gave me resignations—I immediately filled their places till His Majty's pleasure may be knowne.

Levingston.

I desired the Council here to consider Mr Livingston's affair and make report of it being unwilling to be present in their debates, least it should be supposed I influenced them, which I am sure I would not endeavour tho' he hath done me much wrong there. Those papers will be sent over after I am gone to Albany. He hath many relations and countrymen here, I will allow them to be Judges—I am

Sir

Your most faithfull and
most obedient servant

New Yorke Septr 18th 1696. Ben: Fletcher

Mr. Robert Livingston to the Duke of Shrewsbury.

[New-York Papers, No. 6. 7.]

May it Please Your Grace.

The many favours your Grace vouchsafed unto me when in England, engageth me with the greatest of gratitude on all occasions to acknowledge them, and makes me now most humbly to supplicate your Grace to accept of my most humble and most dutiful thanks.

On my arrival here, I made it my business to hasten to Albany, where our Governour was, and did present to him your Grace's letter; but that gentleman was so incensed against me for appearing at ye Council board, that he not only vented his rage and fury with great indignation, but has stepped over all his duty to his Majesty, and yr Grace's letter. He has suspended not only me from executing my offices, but also His Majesty's Commission, by which means seateth himself in a higher station than your Grace, and takes upon him to controle what is transacted by your Grace at Whitehall. it is an act without President, it having never been known that a subject has questioned his Prince's power. He makes such resentments of my complaining of his suspending the execution of the Act of Assembly made for the satisfying of the debts of the Government, and has thereby conceived such prejudice against me, that he endeavors to obliterate all my former service done to the Crown in this Government, and to gain his Councill to addresse his Majesty and Ye Right Honble the Lords of the Plantations against me, saying that the Commission was surreptitiously obtained. and that there was never such an office before. And with such reasons, and others that I cannot discourse, endeavours

to justify himself for the inroad he has made upon His Majesty's Authority, not remembering that when he came first into the Government, he made a new office, which is now of little benefit to the Province, in which he placed one of his Domestic Servants, giving him a Commission to be Accomptant General, and annexed a salary thereunto of £50 per annum, which never was in the Province, and also, to make the Clerk of the Council now dependant upon him, gives him a salary of £50 per Annum, which never was before, And likewise gave y^e^ Attorney Gen^l^ a Sallary of £100 per ann. all which sallarys never were before, but because of his own establishment, they were no grievance, but because His Majes^y^ by your Graces favour has been pleased to give me a sallary of £100 a year for my services, that is a violence to y^e^ interests of the Province, by which methods Your Grace may judge how unhappy a subject in the Plantations is circumstanced if upon application to His Majesty for releif from the oppression of a Governour invading the laws, he is not only thereby exposed to be ruined in his private fortune, but by y^e^ imperious dominion of y^e^ Governour he is made to forfeit all His Majesty's favors, and all past services, to be buried in oblivion.

I further presume upon your Grace's patience to acquaint Your Grace, that I am not able by any means to obtain a sight of what is represented to the right Hon^l^ the lords of the Committee against me, so I am thereby disabled to make my reply thereunto for my justification otherwise than what I have herein enclosed, so that I must have recourse to your Grace's favor most humbly to beg your Grace's patronage against this violent and angry enemy who not only threatens to crush me and my family to pieces, but does at the same time with the unprecedented instrument of rejecting and discrediting Your Graces letter in my favor — All which boldness I most humbly supplicate your Grace to pardon, being incited unto this presumption by the great zeal I bear unto His Majesty's service and the dutifull affection I have for your Grace's person, whose prosperity and happiness I daily pray for, and shall ever acknowledge myself, may it please your Grace, your grace's most obedient and most devoted servant,

ROBERT LIVINGSTON

N. Yorke. y^e^ 20^th^
of Sept^r^ 1696.

Mr. Nelson's Memorial about the State of the Northern Colonies in America.

[Plantations General Entries, 34. (A.) 42.]

24 Sept: 1696.

To the Right Hon^ble^ his Majesty's Commissioners for Trade & Plantations &^c^

WHEREAS your honors, when I last waited upon you were pleased to express your desires of having communicated unto you the copy of what I formerly preferred unto his Grace the Duke of Shrewsbury, relating to the Northerne parts of America &^c^ in conformitie whereunto I againe humbly expose unto your reflections, not only what I conceive is the present Circumstances, but likewise what I presume may be most proper for the maintenance and increase of the English Interest, and the honour and service of the Crowne in those Parts &^c^

But before I proceed, I must beg your honours patience & leave to give some account of

myself, as a necessary introduction unto what I have to say &c As that for the space of 26 years, I have been continually conversant with the French in the Countries of Nova Scotia, Accadie & Canada for which reason I was in the year 1691 made choice of by the Gov^r & Council in New England to setle and establish one Coll: Edward Tyng in the Command of Port Royal, a place that then had been newly subjected to the Crown of England, in which enterprize I had the misfortune to be taken by the French, who notwithstanding the acquaintance and interest I had with them did, (to prevent the information, they thought me capable of giving unto the Court of England about their Countries & affaires in those parts) see cause to make an exception unto my release whereby I have actually suffered above four years and half's imprisonment, In which space of time, I have continually endeavour'd to discover what I thought might be of use to our interests, and accordingly have sometimes opportunity both in Canada, and in France, to give such informations as if due notice had been taken, would have been of good effect, as by some instances I could well note, were it not to avoid too much prolixity &c The improvement I would make hereon serves only to pray an enquiry whom I am that soe you may be the better confirmed in the truth of my informations, in which as I seek not any particular advantage or interest, so I trust the readier beleife & credit may be given unto what I shall here expose &c

Now having thus premised concerning myself, I must here omit what I formerly offered unto his Grace the Duke of Shrewsbury concerning the affairs of France &c and shall only proceed unto what relates unto our Northern Plantations in America, wherein as I have by my long experience a particular knowledge, so am the bolder to lay before your honours, that as things are now circumstanced, unless we timely prevent the designs & enterprizes of the enemy in these parts, we may in a short space run the hazard of the loss and subverson of those late flourishing Collonies of New England Road Island Conecticot, New York Pensilvania Maryland & Virginia &c and that for these following reasons, which I shall bring under two generall heads: the first is from the methods which the French have for some years, and doe yet practice both in regard of their own, and our Indians, as also towards their own people and secondly in respect of ourselves for want of taking such measures as might oppose the enemies progress with the natives as also from our confusion in matter of Government in diverse or most of those Collonies, and more especially from the disunion amongst them which is cause by so great a number of Governts

I shall begin with the first head, relating to the French wherein your honours may please to take notice that the Great, and only advantage, which the enemy hath in those parts, doth consist chiefly in the nature of their settlement, which contrary to our Plantations, who depend upon the improvemt of lands &c, theirs of Canada has it's dependance from the Trade of Furrs & Peltry with the Indians, soe that consequently their whole study, and contrivances have been to maintaine their interest and reputation with them, which has been much augmented by that late foolish, and unhappy expedition from New England by S^r William Phips; as also for want of due care of settlement in the Countrie of Nova Scotia after the taking of Port Royall &c wherein by fatall experience we may lay it downe as a maxime, That those who are masters of the Indians, will consequently prevail in all places where they are neglected as we have too much done; the French are so sensible of this, that they leave nothing unimproved in this regard; as first by seasonable presents, secondly by choosing some of the more notable amongst them, to whom is given a constant pay as a Lieutenant or Ensigne &c, thirdly by rewards upon all executions, either upon us or our Indians, giving a

certaine sûme p^r^ head, for as many Scalps as shall be brought them fourthly by encouraging the youth of the Countrey in accompanying the Indians in all their expeditions, whereby they not only become acquainted with the Woods, Rivers, Passages, but of themselves may equall the Natives, in supporting all the incident fatigues of such enterprizes, which they performe, by advancing upon any exploite, the most forward and deserving, unto some office amongst the regular troops, or otherwise by procuring from France, some marke of honour, as a letter from the Minister, with some small pension, I have known one of this nature which did create such an emulation, that if the Earl of Frontenac had not restrained their forwardness for fear of leaving the Country naked, the whole body of their Youth would have perpetually been out in parties &^c^ Fifthly but the great and most effectual means they have taken for the confirming their Indians, and for the subverting, or corrupting of ours, is that for some years ever since the war, they have from time to time transported into France, some of the most eminent and enterprizing Indians (not only of their own, but of ours whom they have happened to take their prisoners) for no other intent, than to amaze and dazle them with the greatness & splendour of the French Court and Armie where the king hath so thought it worth his countenancing as to send them into Flanders, where the Armies have been expressly mustered before them, to show their greatness, at the same time they are not wanting to insinuate to them our weakness, poverty and incapacity of protecting them, which they readily beleive, not having any other notion or Idea of Our Nation, force and strength, then what they see from our poor Settlem^ts^ about them, and from which they cannot expect sufficient support, so that even those of Our New York Indians, who have at all times been at perpetual enmity & war with theirs, & consequently with them, are now either turned to their side, or else stand doubtful what to doe, and for the fuller compleating of their designs herein, there are actually at this instant now att Versailles six Sagamoes, or chiefs sent from Canada, Hudsons Bay and Nova Scotia to sollicite such help and assistance against us, as if due and timely care be not taken to oppose them will I fear prove fatall, and when we come to see the consequence by the disturbance, and desolations of our Southerne Collonies, which when our Indians shall be wholly affrightened or gained to their sides, will at all times be easy for them to effect, by reason of their scituation upon the Lakes, and Rivers on the back sides of all our Collonies from New England to Carolina, I then say that these things will be come more obvious & sensible unto the Nation from the losse of that great revenue unto the Crown, which is drawn from the produce of those Countries, we have had usefull experience what may be done in this kind from the destruction, which has been made of the province of Maine, and a great part of New Hampshire, whereby we have in a manner lost our Mast Timber & fishing Trade &^c^

Now having so far insisted on the advantages which our enemies have, and doe draw from our remissness &^c^ I shall further presume to offer what remedies I humbly conceive may be most proper for the prevention of their designs, and the mischiefs which otherwise will attend us in those parts &^c^ as first in regard of our Indians, no better methods can be taken, then by imitating the French, both as to their encouragements at home, as also to have some chiefs of the diverse nations of the Indians to be sent into England whereby to give a counterpoise unto the French reputation and greatness, (which a sight of the City of London and what else may be shewed them here) or if need be in Flanders, will easily effect in as much, as those who shall be brought over cannot conceive any thing equall or greater then can be expose unto them, hereby upon their good usage returne home, and the report they will make; We shall influence and gain an esteem of our power, number, strength riches &^c^, so that those who are

our friends will be encouraged those who are wavering will be confirmed, and we shall ballance or equall our reputation to that of the French, with those who are declared against us &c, there are other things in regard of our Traffique and trade with them which will properly belong to the Governors who shall reside on the place, to establish such Justice and equality in our dealings with them, as may redress abuses in this kind, for where a full trust, and dependance can be obtained, there love and inclination will follow, even amongst them as amongst other people. It were not likewise amisse to speak something concerning matters of Religion, which in a manner we have wholly neglected the propagation of, amongst them except in some few parts near Boston, altho there be a very considerable fund or stock established in this Kingdom under the title of an Indian stock, to which do's belong a Governor, and assistants, whose improvement is rather for an increase of said stock herein England, then for the instruction, incouragement, maintenance and conversion of the heathen, according to the intention of the Downers an enquiry herein might be of great use, and indeed the great neglects we are under in this regard are att once, both shamefull and injurious, whereas our enemies the French, by the zealous propagation of their superstitions &c which they doe by Missionaries always sent and maintained amongst them, may even at our doors, and with our Indians, I say that they do hereby insinuate themselves, unto our prejudice, so as to become Masters of the consciences of the heathen, and by consequence must always have them at their devotion &c, and tho' our Indians have often made complaints hereon, for want of the like due care & instruction yet little or no notice hath been hitherto taken thereof &c

Fourthly I must not omitt the due encouragement which ought to be given to our hunters or bush-lopers as they are called about Albanie, so that in all the expeditions that our Indians shall from time to time make upon the enemy, they may be still accompany'd with some suitable number of our people both to accustome themselves as the French doe, as also to enliven and back the undertaking, for otherwise it cannot be thought that they should always expose themselves in our quarell, whilst we remaine by our fires &c and at the same time the enemy is never wanting in their personall assistance unto their Indians; wee are not without as good men as they, but want the like methods, discipline and encouragement, as for instance, in an action performed by one Skyler of Albanie, whilst I arrived at Quebec in the year 1691 where he made one of the most vigorous & glorious attempts, that hath been known in those parts, with great slaughter on the enemies part, and losse on his own, in which if he had not been discovered by an accident, it is very probable he had become master of Monreall, I have heard the thing reported so much to his honor by the French, that had the like been done by any of their nation he could never have missed of an acknowledgement, and reward from the Court &c thô I doe not hear of any thing amongst us hath been done for him, I speake this only to shew what discouragements our people are under, whilst the French neither omitt, nor spare for the carrying on of their designs.

Fifthly I am now to make another remark upon the principall, and greatest defect and mistake, in which we have been, and are yet under, I meane the number and independency of so many small Governments, whereby our strength is not only divided and weakened, but by reason of their severall interests, are become and doe in a manner esteeme each as foreigners the one unto the other, soe that whatever mischiefs doth happen in one part, the rest by the reason of this disunion remaine unconcerned and our strength thereby weakened; whereas were the Colonies of New England, Hampshire, Road Island, Conecticot, New York joined in one, we then should be near to [ten?] or 15 for one of those of the French in Canada, and

might reasonably propose, that instead of a bare defence, we might be in a capacity, with the assistance of some ships from England to make an entire conquest of that place, to which enterprise if the security of our interest in America, or if honor profitt or facility in the undertaking could be argument to induce we are thereby invited to be no longer negligent.

I see not any particular advantage that our Nation can pretend unto in this present war but this, which is such that if known, would I presume be no longer omitted. I have herein to instance from the value of the traffique in Furrs and Peltreys, which is not less then about 200,000 p^{r} annum; whilst I was at Quebec, they esteemed to have had much above that value in the towne, since which upon their taking of fort Nelson, in Hudsons Bay, they are become in a manner sole masters of that trade, and will be continually encroaching, unlesse we put some stop thereunto I am not ignorant of the difficulties that may be objected and the discouragements we are under from the unfortunate attempt of the late S^{r} William Phips, wherein we could not reasonably expect much better, the affair being so rashly undertaken, without order, method, provisions or conduct and yet had the enterprize been well timed as to the season of the yeare, and the forces from Albanie proceeded, as was designed, the place had undoubtedly been ours, so that our miscarriage herein ought not to affrighten us from the attempt once more, wherein I shall further inlarge as far as is requisite, by giving what account I can, both of our own and enemies circumstance, their numbers and forces, as also the methods and ways for the execution &^{c}

I shall now close in what I have to say in discovering the reasons for my Jealousies of the French enterprising upon some or more of those places mentioned wherein your honors may please to take notice, that when I was removed from Angoulesme to the Bastile, I had sent unto me, to treat about the manner and circumstances of my release, the Marquis de Chinry and Monsieur de Lagery who is the intendant Generall of the Commerce, and foreigne affairs of France, with whom after divers discourses, we fell into talk about Canada, New Yorke and New England on which we all agreed, in the wofull and miserable state those Countries were in, on both sides from the barbarous cruelty of the heathen, and that nothing were more to be desired, than for some good accommodation if it could be found out to which was proposed the setting on foot, if possible the late treaty of Neutrality for those parts, which was concluded on in King James's Reigne, between the Lord Chancellor Jefferies and others that were then appointed, and the French Ambassadour Barillon, the difficulties that remained with us, was how to find out a way to treate and with whom, since that the French was at so great a distance, as not to acknowledge King William to be King of England &^{c} to which we found out this experience, that a power should be procured unto the respective Governors, on both sides to treaty and conclude in their own names during this war, whereon I as a private person demanded whether they thought such a thing might be agreable to the Court of France, and if so, whether they in their private names (without engaging the honor of the Crowne) would give me the assurance in case that the thing should be approved of in England, and the offer made unto them, that they should likewise accept it, they told me they would make the proposal unto Monsieur Panchartraine,[1] and so give their answer, in about a week afterwards, they came to me again, told me that there would be no difficulty in France, the thing being very well liked of, and that I might make the motion, if I thought fitting, the matter remain'd in this posture for some time, untill the arrival of the Canada ships, and the six Indians I formerly mentioned, on whose applications things were so altered as did procure a petition

[1] M. de Pontchartrain was Minister of the Marine. — Ed.

from the Canada Company, for my further detention, as being dangerous to their interest, in case I were at liberty; the thing was discoursed before the King in Council, and if my affairs had not been so far ended with them, I should have been detained unto the end of the war; I was ignorant of these things until by a visit from some Gentlemen who came from Canada, I was told the reason of my long remaining in the Bastile and the danger, I was in but at length they were swayed by a point of honor to performe their words, since I had complyed in every Article unto their demands; my passport was at last procured, and brought me by the aforesaid Monsieur de Lagny and the Marquis de Cheury, who told me that the sentiments of the Court were then changed concerning the neutrality, and that I should make no mention of it in England; I am since informed that Monsieur D'iberville he (who was their Commander att the taking of Fort Nelson) is appointed with considerable force to carry back the said Indians, and so to attempt upon the Coast, what he shall be directed unto; I know the person to be a very enterprizing man, and what the effects may be, are rather to be feared than determined, especially if the state of those countries be reflected a little upon, being without Governour, Souldiers Officers, or fortifications, or at least such as are rather to be dispised then otherwise; of all which the French are noe ways ignorant; I have heard them often discourse as truly and pertinently of those parts as any Englishman the best acquainted could ever doe &c

I am now to beg pardon for the weaknesse or length of this information, which I have thought to be my duty to offer unto your honors, shall at all times be ready to give what further satisfaction unto any particulars as may be required from me, This is what I have already given unto the Duke of Shrewsbury &c, I shall proceed to discover their strength, and circumstances, which I annex with this a part &c.

[John Nelson, the author of the above paper, was a gentleman of Boston, of good family, and a near relative of Sir Thomas Temple. At the breaking out of the Revolution, in 1689, he succeeded in obtaining the surrender of the fort from Andros, to whom he had previously, with other of the principal inhabitants of that town, addressed a letter, calling on him to deliver up the government. On his way to Port Royal (now Annapolis, N. S.), in 1691, Mr. N. was taken by a French ship, commanded by M. de Bonaventure, and sent to Quebec, where he was treated with great liberality and regard by Count de Frontenac. Whilst there, he found means to give information, to the authorities at Boston, of an expedition fitting out against the coast of Maine, as well as of the condition of the capital of Canada. This having been discovered, he was sent off to France in 1693, where he was confined in a small hole, for two years, without opportunity of seeing any person but a servant who brought his victuals to a grate. A gentleman, who had taken notice of the person who carried the victuals from day to day, had the curiosity to inquire what prisoner was there, and to speak to him at the grate, and to ask if he could do him any service. Mr. Nelson desired no other favor than to have a letter sent to England, to inform Sir Purbeck Temple of his condition, which was done, and, soon after, a demand was made of his release or exchange. He was then looked upon as a person of some importance. He was sent to the Bastile, and, just before the peace of Ryswick, was allowed to go to England, upon his parole, and security given by a French gentleman for his return. [It was during this temporary visit that he seems to have laid the above paper before the British government.] The peace being concluded, and he intending to return, was forbade to do it by King William; but, to prevent any trouble to his friend, he went, contrary to order, and surrendered himself. Being discharged, upon his return to England he was brought into trouble there, for going back to France contrary to the King's order, but at length returned to his family after ten or eleven years' absence. *Byfield's Account of the Revolution in New-England*, p. 4, in *Force's Tracts*, IV. *Hutchinson's History of Massachusetts Bay*, I., 376, 378. — Ed.]

Abstract of the Memorial presented by Messrs. Leisler and Gouverneur.

[Journal, IX., 142-145.]

Whitehall September 25th 1696.

At a Meeting of His Majesty's Commissioners for Trade and Plantations

PRESENT—Lord Keeper		Mr Pollexfen
Earl of Tankerville		Mr Locke
Sr Philip Meadows		Mr Hill.

Leisler and Gouverneur.

Mr Jacob Leisler and Mr Abraham Gouvernier attending gave in a Memorial of the state of the Province of New York from the year 1687. In which is (first) an account of Captain Leisler's conduct, and the consequences of it in the Revolution. Ingoldsby's opposition to Leisler. Leisler's imprisonment, Condemnation and death. Slaughter oppression of Leisler's party. Colonel Fletchers continuing to do the same. His packing of Assemblies. Misapplication of Publick money, and detaining persons that would come over to inform against him.

They then added, that what concern'd the transactions in Captain Leisler's time was of their own knowledge, And what is of fresher date, is from letters and other Papers of good credit. They added also that the Passengers comeing from New Yorke, that they formerly mentioned to have been carried into Holland, they now heare, are Prisoners of France. But expect it will not be long before they may be exchanged and come over hither.

After this they deliver'd in a Paper intituled Grievances at New Yorke from the 1st September 1692 to the 31st October 1695, which is signed by several persons of whom they gave the following characters

John Hutchings a Lievetenant in the Kings standing forces, that went over with Colonel Slaughter

John Provost a Merchant of New York Citty, of considerable estate, who has lived there these fifty years in good repute. In Captain Leisler's time, he was of the Council and a manager of the business with the Indians at Albany, but has borne no office since.

Gabriel Tomazen, a Trader with the Indians, he did live at Albany, but now at New Yorke, he was Captain of a Company at Albany.

Abraham Brazier, a Blockmaker, he has borne no office but in Captain Leisler's time.

William Churcher, a Bricklayer, he has born Military offices.

Meyndert Koerten, a rich farmer, that lives upon Long Island.

Gerrard Beckman, a Doctor of Physick, has been Major of a Regiment in Captain Leisler's time, not since.

The Contents of this paper are in substance as followeth.

The first part relates to Captain Leisler's Government: Then follows

7. 8. Major Gerrard Beckman and P: de Lanoy, were obliged to give their parole and bond not to depart this Province.

9. Major Robert Leacock was kept prisoner in the feild to hinder him from voting for Representatives.

10. Captain William Churcher taken and kept prisoner when he came to vote.

11. All such as had opposed this present Government in England advanced to places of trust.

12. Most of the present Council opposers of the Revolution.

13 Colonel Fletcher hinders free Elections; espetially the last, by bringing Soldiers with their Captains disguised and armed, to vote as freemen: And Seamen with clubs to deter the Electors.

14 Free Elections in several of the Counties hindred and false returns made.

16 Several persons call'd to account before the Supreme Court for assisting a Serjant, who had a Warrant from Captain Leisler, to secure William Nicholls (one of the Council present) for high misdemeanours (as his own letters testified,) These persons were imprisoned, and two of them condemned by default (their Council being imprisond also and none to plead for them) in 500£ damage.

17 The money sent by other Colonies misimployed. The Governour would give no account of 40000£ rais'd to the Assembly.

19 Money raised by this illegal Assembly (1000£) to send to England to maintain and defend their actions there. William Nicoll sent.

20 Fortifications of New York out of repairs, and not regarded. The Guns sent by the King not mounted, tho' 160£ was given by the Assembly to do it.

They then produced also some letters. Two of which relate to Captain Leisler's conduct. One from Robert Walter complains of the arbitrary election of their Assembly men.

Another of the 19th October 1692 from Maurice van Nieuwenhuys to the same purpose.

P. de Lanoy's letter of 15th September confirms the 9th and 10th Articles before written. His letter of the 2d October 1695 confirms the 13th and 17th Article before written.

Memorial of Messrs. Leisler and Governeur relating to New-York.

[New-York Papers, A. B. A. 18.]

The State of the Province of New York from the yeare of our Lord 1687.

1688
8000 familys 12000 fighting men.

In the yeare 1688 there were in this province about 8000 familyes out of which there might be raised 12000 fighting men, from 16 to 60 years of age.

Sr Edm. Andross Govr
Franc Nicholson Lieut Govr

In this yeare and some time before, this Province was under Sr Edmund Andross Governor of New England, who by his Lieut Governor Francis Nicholson Esqr and seaven or more of his Councell had the government of this Province and raised taxes and exercised other legislative Acts without any Assembly

1689.
Sr E. A seized in N. Engld. The people for ye Revolution.

In Aprill 1689. those of New England who were well affected to the Protestant interest seized Sr Edward Andross their Governr and then declared in favour of the Revolution. Upon the arrivall of this newes in New Yorke in May following the Protestant party perceiving that Mr Nicholson, Sr Edmund Andross his Leiut would not declare for his now Matie the people seized the Fort, and the Capts of the Militia by turnes commanded, and soone after, those Capts & the people in generall proclaimed the King and Queene (soone after which Mr Nicholson left New Yorke) and then sent Circular letters to all parts of this Province to choose their Representatives for a Generall Assembly; which was done accordingly and in June following

The Fort at N. Y. taken fr Nicholson

The K and Q. proclaimed.

Nicholson leaves N. Y.

Leisler made Comdr in Cheif by the Assembly.

this Assembly mett and constituted Capt Leisler, Capt of the Fort for their Majties service, till their Maties pleasure were knowne. In Augt then following the same Assembly appointed the said Capt Leisler Comander in Cheif of this Province.

The K's letter to ye Comder in Chief.

In December then following there came to New York a messenger with a letter from his Matie thus directed (vizt) To our trusty and Well beloved Francis Nicholson Esqr our Leiut Governor and Comander in Cheife of our Province of New Yorke in America and in his absence to such as for the time being take care for preserveing the peace and administring the lawes in our said Province of New Yorke in America. This letter was delivered to Capt Leisler (Nicholson haveing been gone some months before) by which letter such as then comanded in Cheife were impowered to take upon them the governmt till further Order. Under this Authority the said Capt Leisler continued Governor about 13 months. Soone after Captn Leisler had thus received authority, he gave such assistance and incouragement to the Indians then in Armes against the French, that those Indians took the fort of Cadaraque which fort is sayd to be about 260 miles from Albany. About 6 months after the French lost this Fort, they sent Agents to treate with those Indians for a peace of which Capt Leisler being informed he likewise sent one Mr Arnold Cornelisson Viele who was his Indian interpreter and in great esteeme with the Indians to keepe them firme to the English interest, and this Mr Arnold did soe effectually prvaile that the Indians seized those French Agents, some of which they destroyed, but the Cheife vizt le Chevalier D'eau they sent prisoner to Capt Leisler who kept him in custody all the time of his governmt, but was discharg'd from confinemt by Coll. Slaughter, and under Capt Ingolsby's governmt made his escape to Canade.

Leisler by authority continued Govr 13 months.

Cadaraqui taken.

French Agents to treat wth our Indians. Who were by Leislers conduct seized.

1690. Capt. Ingolsby wth Commissn to obey ye Comder in Chief, sends Brook to demand ye Fort of Leisler. He refuses. Ingolsby attacks ye Fort.

In January 1690. Capt. Ingolsby arrived at New Yorke with a Comission to obey the Comander in Cheife for the time being, but upon his arrivall he sent Mr Chidley Brooke (now Collector of New Yorke) and his Leiut into the Fort to Capt. Leisler and Mr Brookes demanded the Fort to be delivered up to Capt. Ingolsby, which Capt. Leisler refuseing, Ingolsby with his owne Company and severall others, waged warre against the Fort, and this Mr Brookes threatened many that unless they would assist Capt. Ingolsby against Capt. Leisler they should be declared rebells & treated as such.

Ingolsby calls to his assistance ye opposers of ye Revolution

Capt. Ingolsby continued thus for 6 weekes calling to his assistance such as before opposed the revolucôn and were of Andross his Councell, which were afterwards of Côll. Sloughters Councell & still are of the prsent Councell.

Coll Slaughter, Govr arrives: Leisler sends to congratulate his arrival. He imprisons those sent, Leisler delivers the fort to him.

About 6 weeks after Capt. Ingolsby's arrivall Côll. Slaughter who was made Govr of New Yorke, came to New Yorke vizt 19 March 1690. in the evening. As soon as Capt. Leisler was thereof informed, he sent two persons to congratulate his arrivall, but Coll. Slaughter imprisoned them. Notwithstanding which Capt Leisler tooke imediate care for the delivery of the Fort the next morning to Côll. Slaughter, wch was done accordingly.

Col. Slaughter at ye instigation of Brooks &c imprisoned Leisler (& others) and indicted him for High Treason.

But Coll. Slaughter at the instigacôn of one Mr Dudley, President of his Councell, this Mr Brookes and severall others, treated Capt. Leisler and many more as traitors, for not delivering the Fort to Capt. Ingolsby (whose Comission by expresse words was to obey the Comander in Cheife, which Capt. Leisler had beene by virtue of his Maties letter above 12 months before Capt Ingolsby arrived.) Many of this Province upon Capt. Leislers being thus treated, fledd from New Yorke, others that remained

were imprisoned as ryoters for acting under Capt Leisler, and Capt. Leisler wth severall others indicted for high Treason & murder, in holding out the Fort against Capt. Ingolsby, and tryed before M^{r} Dudley as President, Capt Ingolsby M^{r} Brookes and others.

Dudley, Ingolsby Brooks &c his Judges.

Capt. Leisler and M^{r} Milbourne insisted upon his Ma^{ties} authority, by vertue of the before mentioned letter, and desired the Court (before they pleaded) to declare whether the said letter had not given Capt. Leisler an authority to take upon him the Governm^{t} to this the Court would give noe answer, unless Capt Leisler would plead, which Capt. Leisler and M^{r} Milbourne refused to doe till that question was answered by the Court. Whereupon the Court gave judgm^{t} against them both as traiters and they were accordingly executed. This whole matter being proved before the Parliament in 1694 the Attainders of Capt. Leisler, M^{r} Milbourne, and M^{r} Governeur were by Act of Parliament reversed.

Leisler insists upon ye Authority reed by ye K's letter. The Court would give no answer to that

Ie & Melbourne condemned and executed.

Whilest Capt. Leisler and severall of his party were, as before, in custody, Coll: Slaughter called an Assembly, but such as were chosen and had beene well affected to Capt. Leslers interest, were refused to be admitted into the Assembly; which Assembly thus partially chose gave Capt: Ingolsby £100. for what he did against Capt. Leisler, and to another for the same reason £150. both summes out of the publick money and this Assembly declared what Cap^{t} Leisler did was illegall and desired his execucôn; which was granted.

Coll Slaughter call an Assembly. Refuses to admit such as were of Leisler's party. The Assembly give £100. to Ingolsby & £150. to an other (for what they had don agst Leisler) out of ye publick money.

Côll. Slaughter continued about 5 months in the governm^{t} and then dyed. Upon whose death the then Councell att New Yorke appointed Capt. Ingolsby to be their Governor, and dureing his administracôn severall were proceeded against as ryoters for what they did under Capt Leisler, and some of these p^{r}tended ryoters haveing some time before given baile in £50, for their appearance came to England to informe the King and Councell, with the before mencôned proceedings, and dureing their absence their estates were seized and their securityes proceded against and foure times as much levyed as the baile amounted unto.

Slaughters death Ingolsby Govr Several proceeded agst at Ryoters.

Others were threatned that unless they pleaded guilty to the indictment for a ryott they should be proceeded against as traytors, which they refuseing to doe, were kept about eleaven months in custody, but were then discharged by his Ma^{ties} generall order, which comanded the Govern^{r} of New Yorke, not only to discharge their persons but likewise to vacate the said recognizances and all proceedings thereon. But notwithstanding neither the money or goods seized upon those recognizances were restored. For Coll. Fletcher who was by their Ma^{ties} appointed to succeed Coll. Slaughter was served with the said Order of his Ma^{tie} and his Councell, but refused to obey the same unles those prisoners would peticôn him for their discharge; threatning them that unless they did peticôn him and his Councell he would hang them. Whereupon they peticôned for their liberty and were discharged, but notwithstanding Coll. Fletcher had beene often peticôned for a restitucôn of what had been seized by vertue of the before mentioned recognizances, noe restitucôn could ever be had of any part thereof.

Others threatned yt if they did not plead guilty to ye Ryot, to be indicted for Treason.

kept 11 ms in prison.

Their effects not restored upon their release.

Coll. Fletcher refuses to restore their effects threatning to hang them, if they did not petition him.

Coll. Fletcher soone after his arrivall called a Generall Assembly, but finding that most of those chosen had beene well affected to Capt. Leislers interest, he did refuse them and comanded the Electors to goe to a new eleccôn. Upon which second eleccôn the same being again chosen, the Governor would not admitt them, but packed an Assembly of whom he pleased.

Fletcher calls an Assembly; refuses those of Leisler's party and orders a new election. They chosen again; he would not admit them. Put in whom he pleased.

1694. Refuses to this Assembly acct of ye money rais'd & dissolves them.

In the latter end of 1694 the then Assembly perceiveing that the publick taxes and revenue in about 3 yeares had beene neare £40000 and that the same was generally misapplyed, they desired the Governor that an Acco[t] might be given them how the publick moneys had beene disbursed; but the Governor (notwithst-anding at the first meeting of this Assembly he promised the same) refused to doe itt, saying itt was the Assemblyes business to raise the money & the Governour and Councells to lay it out, and that he would give an acco[t] thereof to none but his Ma[tie]; with which answer the Assembly not being satisfyed but still insisting upon an account, Coll Fletcher dissolved them.

1695. Cals a new Assembly. Threatens to shoot such of ye last if they were chosen. Seamen & Soldjers armed at ye Election.

In 1695. Coll. Fletcher called a new Assembly, but threatned those of the last, that if they came to any eleccôns, he would shoot them, and thereupon imposed upon the freeholders seamen and soldjers armed with clubbs and bayonetts, as electors, and by those electors packed an Assembly, who appointed M[r] Brookes and M[r] Nicholls to come for England as their Agents to represent to his Ma[tie] the state of the Province.

1694. Money to repair ye fortifications; but neglected.

In 1694 the Assembly gave Coll. Fletcher money to repaire the fortifications of the Citty of New Yorke, but the same was neglected and the money misapplyed.

Besides the before mencôned miscarriages, there have beene many more particular abuses comitted too tedious here to be related; and the present Governor to prevent any discoveries of his male administracôn, forceth such as he hath cause to suspect may come for England to give any informacôn of his mismanagem[t] to enter into bonds not to depart that governm[t].

Bonds required of those that are abused, that they shall not go to England to inform.

Wee whose names are under written can attest what is herein before mencôned relateing to Capt. Leisler's governm[t] and sufferings, and as for the other abuses comitted since Cap[t] Leislers death, wee have received informacôn thereof by severall letters from very credible persons still resideing att New York.

(signed) Jacob Leisler
(signed) Abrah: Gouverneur.

Wee lodge at M[r] Robert Swinfins in Crown Court in Broad Street neer the Excise Office, the second door at the right hand goeing in to the Court.

Messrs. Leisler and Gouverneur's Account of the Grievances at New-York.

[New-York Papers, A.B. A.15.]

Grievances at New Yorke from primo September 1692. to 31. October 1695.

1 Short after the arrivall of Govern[r] Ben: Fletcher he issued out a proclamation expressing therein that Her Maj[t] the Queen had ordered to sett y[e] prisoners who at New York had assisted Kap[t] Jacob Leisler in the Revolution for their Maj[ties] at liberty, but s[d] Gov[r] before this proclamacôn was published had threatened them in case they would not submitt w[th] acknowledgement of faults, he would, & it was in his power, to execute and hang them.

2. Severall persons addressed to Gov^{r} Ben Fletcher by peticôns and verbally to have their armes again w^{ch} were left in the Fort, at New Yorke, when Gov^{r} Henry Sloughter arrived, after the insurrection created by Cap^{t} Richard Ingoldesby and the present Councill then only nominated, when Capt J. Leisler commanded y^{e} people, in number about 300, to lay down their arms, w^{ch} they did; then promise was made they should have them again. This was not performed, but to the contrary detained from them with great abuses. At first some few received them back, but short after it the ill Councellors of the s^{d} Gov^{r} advised him to the contrary, and he told the people they had served an unlawfull comander, deserved to be hanged and if hee had been there, would have done it to every tenth man; so in the future could have no remedy again.

3. Severall persons made addresse to Gov^{r} Ben Fletcher for payem^{t} of service done for his present Maj^{tie} in y^{e} time of Capt. J. Leislers administration, in the government, who were answered w^{t} vilipendations they had served a rebell and unlawfull man, could expect no pay but rather punishment, and this was alwayes by y^{e} Councill inflamed in mortall adversaries to Capt J. Leisler and his assistants under him in the time of the Revolution for his present Maj^{tie}

4. That such persons who had laid out mony and goods for his Maj^{ties} service in y^{e} governm^{t} when Cap^{t} J. Leisler had the administracôn could not have satisfactîon, but by the ill Councillors, kept out, they esteeming such goods to be stolen, & to be repaid by the persons who received them by the order of Capt J. Leisler then Comander in Cheif; by w^{ch} great dissatisfaction was given, they wilfully makeing no distinction between a time of revolution and an other time.

5. That Lieu^{t} John Hutchins Esq. who had the King's immediate comission was imprisoned at Albany & so sent to N. Yorke, and comeing before the Gov^{r} B. F. was suspended, & kept out his pay, because he had favoured y^{e} case of Capt. J. Leisler and the actors under him; in the first place, haveing send the people back that came to make the insurrection at Capt. R. Ingoldesby's arrivall, raised by the meanes of Joseph Dudley and Chidley Brooke, Collecto^{r}, for w^{ch} their actions was no reason, and especially to the s^{d} Brooke haveing been admitted in his Collectors place, before s^{d} time, by Capt J. Leislers order, w^{ch} for him was all he could expect; and in the 2^{d} place haveing by many perswasions indeavoured to hinder y^{e} Gov^{r} H. Slaughter not to order the execution of J. L. & J. Mill: it being against his letter to the King for their reprieve and against his comission from his Maj^{tie}

6. That the unjust and considerable forfeitures taken in a violent manner from Capt. Jacob Mauritz and M^{r} Johannes Provoost for non appearance to the Supreame Court at New Yorke, w^{ch} was taken of by the Queens order and promised it should be repaid, and was never paid or brought amongst the debts of the government, onely to oppress them that had acted under Cap^{t} J. L. they haveing been both of his Councellors.

7. That Major Gerrardus Beekman one of Capt. Jacob Leislers Councill hath been banished in y^{e} Governm^{t} by Gov^{r} B. F. order, and forced to enter into a bond of good behaviour of £500 w^{t} sufficient security not to depart this province; only because he would send some money of his owne with others, to procure from his Maj^{ty} a discharge of the durty actions brought against them upon pretence of law.

8. That P. Dela Noy who had been Mayor of New Yorke Citty and Collector in Capt. J. L. administration was also bound to give his parole not to depart this Province, on pretence y^{t} the publick acc^{tts} were paid by order of an unlawfull comander, w^{ch} acc^{tts} were by Gov^{r} B. F.

orders examined by two of the present Councill his adversaries, opposers of the Revolution, and could have no other although required; so never had any determination or satisfaction for disbursem^{ts} for the Governm^{t} and continues under the same parole.

9. That Major Robert Leacok who had been one of Capt. J. L. Councill was kept a long while by a Constable prisoner in the field to hinder him to give his vote for Representatives to sitt in the Assembly for the County of N. Yorke; and this was done for to have in such members as would bee against Capt. J. L. actions.

10 That L^{t} W^{m} Churcher who had been L^{t} in y^{e} Forts at N. Yorke in y^{e} time of Capt. J. L. administration was in the feild apprehended, & thereupon imprisoned, when he came there in a decent manner as a freeholder to give his vote for Assembly men or Burgasses for his County N. Yorke; w^{ch} was a breach of y^{e} free vote to cross y^{e} actors under Capt. J. Leisler.

11. That such persons who in the time of Capt. J. Leislers administration had been rebellious and factious to destroy the interest of his present Maj^{tie} and to oppose his Authority then in the government, were advanced to places of trust both civill & military, and others who had acted under him kept out, slighted and affronted, named creators of disorders, and rebells; especially by them of the present Councell, they & others indeavouring to revenge in that nature.

12. That the most of the present Councell and especially those who had been concerned in y^{e} late arbitrary governm^{t} have been all along opposers of y^{e} Revolution at N. Yorke in the behalfe of his Maj^{tie} bitter enemies of Capt. J. L. and actors under him, the cheife promoters of his execution and of J. Mill: The continuation of such is and will be a grievance.

13. That the Gov^{r} B. Fletcher hath obstructed, by his own actions and wincking at others, the free elections of the Representatives to sitt in the Generall Assembly, by severall threatnings, calling them that favoured Capt. J. L. case, rebells, in open feild, when came to give votes for the County of New Yorke; and especially in y^{e} last election, when sold^{rs} out of the Fort with their Capt. came wth coloured coates to pass for free men, and armed w^{t} bagonettes, and the seamen of his Maj^{ties} ship Richmond wth clubs to deter y^{e} people from voting for such members they would have; and suspecting a design was against them, y^{e} major part went away without voting and full of dissatisfaction, lost their priviledge; and this was done for to have them out that favoured Capt. J. L. case.

14. That the elections for Representatives of the Province were also in severall Counties obstructed from free votes by some intregues and undue returns, all for y^{e} same ends as afores^{d} to have in members who would be avers Capt. J. L. proceedings, to maintain their case with authority, and especially were the Gov^{r} Councell & others in authority against them that were condemned by the Supreame Court, calling them treators under the law & condemnation, altho' his Maj^{ties} discharge was in the Province by an authentick coppy, w^{ch} was undervalued, and there was no admission of service, as appears in the person of Major Gerrardus Beekman.

15. That Gov^{r} B. Fletcher hath alwayes favoured the adversaries contra Capt. J. L. w^{ch} was suspected to be augmented by some gifts from the Magistrates & others; so that the actors in y^{e} Revolution for his Maj^{tie} under comand of Cap^{t} J. L. could have but little comfort and no hopes to have their grievances removed and made no further addresse. Major Richard Panton one of the members of that Assembly who appointed Capt. J. L. Capt. of the Fort and Comander in Chiefe, was ruined both in his personall and reall estate upon y^{t} acc^{tt}; especially y^{e} rebellious French were much in esteem.

16. That severall persons were brought to answer before y^{e} Supreame Court at N. Yorke for haveing assisted y^{e} Serj^{t} whoe had then a warrant of the Comander in Chiefe J. L. to secure

W^m^ Nicolls (at present one of the Councell) for high misdemeanor committed against his Maj^ties^ authority then in the governm^t^ as his own letters made out, w^ch^ people were imprisoned, upon that acc^tt^ & two of them condemned by default their Atturney at Law being then imprisoned, could have none to answer for them. By a jury of inquiry £500 damage was found. Att y^e^ next Court, the action was admitted for a new tryall, w^ch^ is to come: so guiltless persons were and are vexed in law against the Act made to regulate their pretended damages, onely to cross such who had acted under Capt J. L. for his present Majesty.

17. That the burthens of deteachement & taxes were exceeding prest upon this Province, when adjacent places were most excused, so that the power of his Maj^tie^ sent to them to assist had but little effect to assist for the fronteers, that little mony they gave was not imployed for that use, but spent by other incidentales, by w^ch^ our taxs could not be made a penny less. But his Maj^ty^ was gracious to ease our burdens, paying all the militia at home, w^ch^ was never done before, but the Administrators here augmented y^e^ burthens, that all y^e^ income taxes being neere £40000 by calculation were not enough to pay the charges, where of the Assembly could not have, when required, a satisfactory acc^tt^; but answer was made they had nothing to doe with it; the Gov^r^ and Councill were to answer itt. This was dissatisfaction for the Country.

18. That the Dutch Ministers in the Province did preach against the actors in the Revolution under Capt. J. L. comand, by what instigation the know, that they had deserved by their rebellion great punishment and were to acknowledge their faultes; y^e^ people sensible of their just case, could not indure to hear such sermons, they were opposers of the Revolution. The Minister of N. Yorck[1] could not find in his heart to pray for their Maj^ties^ as was required, till Capt. J. L. did give him a forme. At y^e^ arrivall of Govern^r^ H. Sloughter when Capt J. L. and all under him as much as they could gitt were imprisoned, he was overjoyed, and tooke his text out 27 Psalm, he should have perished if he had not hoped to see y^e^ good in the land of y^e^ living, and Saul like had a good like in the destruction of y^e^ innocent; and how instrumentall at the time of execution, is notorious.

The Minister at Albany[2] denieth to pray for the King, did it onely for the Crown, would observe no orders of Capt. J. Leisler, kept correspondence w^t^ a Jesuit at Canida w^ch^ Jesuit by a letter called him Amicus honoratissimus, & y^t^ they had onely warr with such who were not at y^e^ side of y^e^ King, inflamed the people much against Capt. J. L. made him black by his letters to Europa of w^ch^ he him selfe was ashamed, boasted one of such letters could destroy him, was bitterly against the Revolution.

The Minister of Nassow Island is deceased[3] was first for the Revolution and brought the Country unanimis to act; but afterwards being seduced, was brought to a contra opinion and created division, was suspected by y^e^ people, especially about a contrivance to take the Fort, for w^ch^ was tryed condemned, fined, imprisoned and upon subjection to Capt. J. L. released without fine; for this was much affected to Capt. J. L. execution and made intollerable sermons and died without y^e^ least reconsiliation.

19. That by permission, y^e^ Gov^r^ being at Albany, when y^e^ Act of reversing y^e^ Attainder from Capt J. L. and others, came to the Province, much money was given and collected by maintainders of the actions of Capt. R Ingoldesby and Councill supposed to be against Capt. J. L. and actors under him their actions, under a colour to do good to y^e^ Province and send

[1] Rev. Mr. Selyns. *Documentary History of New-York*, II., 8vo., 431; 4to., 247.—Ed.
[2] Rev. Godfridus Dellius. *Ibid.* [3] Rev. Rudolphus Varick. *Ibid.*

some for England to defend their actions, as if they could contend w^th^ supream authority in passing the Act.

The Gov^r^ returning it was concluded w^t^ y^e^ major votes of the Members of the Assembly (how arbitrary some of them came in is before demonstrated) to send an Agent &. to raise a tax of £1000; to that end W^m^ Nicholls, one of the Councill, was voted & appointed, an unreconsilable enemy to Capt J. L. and all actors under him, by his letters threatned to destroy them and make them exampels to all rebells, vexing at present people upon y^t^ acco^tt^. This brought dissatisfaction, most people saith it was not free Assembly and would not pay tax for such an Agent, whoe under colour to act for the Province with others that doe goe over, should worke out their sinister designs.

20. That the maintenance of the frontiers at Albany had a dislike by severall, by y^e^ ill actions of the Capt^ns^ wereof some had two comissions one of his Maj^tie^ and one of y^e^ Govern^r^ creating duble payments. The appointed number seldom came there, but sometimes a fourth part and more less, and still when the appointed time was expired, mony was found short altho' sufficiently provided for.

The fortifications allmost out [of] repairs in y^e^ Citty of New Yorke, y^e^ Bulworkes not reguarded but one at y^e^ water side disposed of to private service, the great sums [Guns] sent by his Maj^ty^ for the Citty not erected, altho £160 was long since granted by y^e^ Assembly to performe the same, no powder (not so much as any stok known) belonging to the Citty or annother warrlike affaires at present in being to resist an enemy, so that no officers upon a sudden invasion are able to defend their posts, there being no publick stok for y^e^ Citty required in time of warr.

21. That the opposers of the Kings interest in y^e^ time of the Revolution under Capt. J. L. administration for y^e^ most part by credible information have given private depositions to cleare them at present in authority, and declare against Capt. J. L. proceedings; all w^ch^ may bee easily evinced when known, and are undermining manners easily to be done when is approved by the authority. But truth will overcome all, w^ch^ wee know is come to light & will be maintained by his most Excellent majesty.

The premisses are Grievances past and to be removed out y^e^ province of New Yorke, all which can be deposed when required.

(signed) John Hutchins
(signed) Johannes Provoost
(signed) Gabriell Tomase
(signed) Abraham Etaffiet[1]
(signed) William Churcher
(signed) Meyndert Hoerten[2]
(signed) Gerardus Beeckman.

[1] Brazier. Ante p.—Ed.

[2] Koerten. *Ibid.*

Letter from Peter De La Noy relative to Governor Fletcher's Conduct.

[New-York Papers, A. B.A. 35.]

N. Yorke 13th June 1695.

Sir.

I have received yo^r letter by Capt Harbin w^th y^e inclosed w^ch I shall forward to your friends according to your directions. I humbly thank you for your news of Europe, and I return you the best account of our condition here w^ch though perhaps not worth the knowledge of many people in England, yet because you desire it, and it in some measure concerns your interest in this Country, I hope may not prove alltogether unacceptable to you. We are under the common calamity of war, as you are, but want the blessing of a free government and our ancient libertys w^ch you so eminently enjoy in England and make the war easie to you. I remember the remark you made when our present Govern^r was sent hither, viz^t. that he was a necessitous man who you fear'd would therefore more consider the advancement of his own private fortunes than the publick benefit of the Province; and I can now assure you we found you a true prophet, and wish you could foretell our deliverance as well as you did our oppressions from this arbitrary man.

At his first arrivall here he insinuated into the inhabitants the great interest and credit he had at Whitehall, w^ch would baffle any complaints that could be made against his administration and this back'd with the grandeur of a Coach and six horses (a pomp this place had never seen in any former Govern^r no more than himself been us'd to it in his own Country,) struck such a terr^r into the people, as easily prepard 'em for the pack-saddles he has laid upon 'em. To recount all his arts of squeezing money both out of the publick and private purses would make a volume instead of a letter, & therefore I shall only mention some few of the stratagems that from thence you may guesse of this Hercules by his foot. The Assembly as is usuall to new Govern^rs made him a complement, and gave him a penny in the pound of the inhabitants estates. The Assess^rs observ'd the method formerly practised in such cases, but his Excellency thinking the some not sufficient (though it amounted to above £600) accus'd 'em of partiallity & threatned to cômit 'em to goal for not assessing the inhabitants high enough. He takes a particular delight in having presents made to him, declaring he looks upon 'em as marks of their esteem of him, and he keeps a catalogue of the persons who show that good manners, as men most worthy of his favo^r This knack has found employm^t for our silversmiths and furnish'd his Excellency with more plate (besides variety of other things) than all our former Govern^rs ever received. Such clowns as dont practise this good breeding, fall under his frowns, or a haughty glance of his eye at least, if they dont feel the weight of his hands. The Souldiers one would think were but a poor game for so great a man to prey upon, but yet they feel their share of his hungry avarice. I was lately informed by one of the Council at Albany that his Excellency takes 10^s p^r an: out of every one of their subsistence money, & if the furnishers of that money cannot by reason of the rise of provisions subsist 'em for 5^d p^r day, they are order'd to raise it 5½^d of purpose that his 10^s may be secur'd. Some Officers he makes his fav^rites who are his tools and pimp to his frauds upon the publick. He has made the Lieutenant of his own Company of Grendiers at New York, at the same time, a Captaine of Fusileers at Albany, and permits the Lieutenant of Grandadiers at Albany to go Mast^r of a ship to Jamaica, England, or where else he pleases, and to enjoy his pay all the while: in which his Excellency goes a snack. He made one M^r Hancock, a profligate fellow, Sheriff of New York and though that varlet stab'd a poor Frenchman in prison without any provocation, yet he was continued

in his office till his villanys made him to scandalous even for his Excellency's patronage. He very often takes his progress to Connectucut, Pensylvania, and other places, and all that tyme lives suitable to his character, but his table is maintained at the charge of the province without any abatement of the salary the King allows him for that purpose. His pride and arrogance to all the neighbouring Governrs has been a great detriment to this Province & frequently the occasion of retarding that relief which was necessary, and would otherwise have been afforded us in time of extreamity. Instead of that fair understanding and correspondency wch became men in their posts, Sr Willm Phipps and he maintained a paper war betwixt themselves and constantly exchang'd scurrilous letters, which upon a strict enquiry I find wholly owing to the haughtinesse of our Governr His vanity is as remarkable as his other qualitys I have mention'd of which the following instance will give you a sufficient proof. In Febv 169⅔. when the French burnt the Maquasse castles, Coll Fletcher upon the news of it embark'd himselfe & some trainbands of New York & haveing the advantage of a fair wind arriv'd in two days at Albany which is distance from hence 144 miles; from Albany he went to Schenectida and sent his men to Majr Shuyler who comanded the party in the Woods; but the French were beaten and run away before these men came up to Shuyler. However our Generall was resolv'd not to lose the glory of his expedition, but at his return to Albany the Comandr of that Fort was order'd to draw up his forces in their arms for receiving his Excellency and salute him with the discharge of all the great guns. The Mayor and Aldermen were ordered to make an humble addresse of thanks & a present for his so speedy coming to their relief, and the noble exploits he perform'd for them. The poor people had abundance of gratitude and were ready for an addresse, but pleaded their impoverishment by the war against making a present. The Indians who are a very discerning people saw through the man, and complemented him with the Indian name of Kayenquiragoe, which signifies in English Great Swift Arrow. His Excellency, who never was wanting to set a full value on his own worth construed this name to be a significant acknowledgmt of the swiftnesse of his expedition (which by the way he was beholden to the wind for) but the cunning Indians as I was since inform'd design'd it as a droll upon the man and his vain glory; for they haveing enquired into his name understood that Fletcher is the name of a trade, viz[t] of an Arrowmaker,[1] bestowed that Indian name upon him as a sarcasticall pun. However puff'd up with the Albany addresse and the Indian complement, he returnes to New York, where his tools procured him another addresse and a present of a golden cup worth £120. which they took up at interest and owe at this day. This is the famous expedition and these the glorious addresses which he sent over to the Plantation Office in England and caus'd to be printed there[2] for spreading the renown of his American Atchievements. Poverty you know Sir is but a poor protection against power, and this the Albany men experienced the next time his Excellency visited that place. For when he found that he could not wheedle a present out of 'em, he made use of his authority to get one in this manner. He ordered two of the principall

[1] *Flechier*, Fr. An arrow maker. — Ed.

[2] *Kennett's Bibliothecæ Americanne Primordia* gives the following, which was probably the title of the pamphlet: "A Journal of the late actions of the *French* at *Canada* with the manner of their being repulsed by his Excellency Benjamin Fletcher, their Majestie's Governor of *New York*, impartially related by Col. Nicholas Reyard, and Lieutenant Colonel Charles Lodowick, who attended his Excellency during the whole Expedition. To which is added: 1. An Account of the Present State and Strength of *Canada*, given by two *Dutchmen*, who have been a long time prisoners there, and now made their Escape 2. The Examination of a *French* Prisoner. 3. His Excellency Benjamin Fletcher's Speech to the *Indians*. 4. An Address from the Corporation of *Albany*, to his Excellency, returning Thanks for his Excellency's early Assistance for their Relief. Licensed Sept. 11, 1693. *London*, Printed for Richard Baldwin, 1693. 4to, p. 22."—Ed.

gates of the Citty where the Indians used to enter, to be shut up, cautiously alledging the danger of keeping open so many gates during the war; severall poor traders who had built their houses near those gates purposely for the Indian trade would have been ruin'd if these gates had continued shut, and therefore rais'd a contribution of fifty or sixty of their best furs which they p^{r}sented to his Excellency & thereby removed his Excellencys apprehensions of the danger those gates exposed the Citty to; for at the request of the May^{r} & Aldermen the gates were opened again & the Citty as safe as when they were shut. This account I had from one of the contributors to the present. I had almost forgot another useful piece of policy he has to get money. We have a parcell of pirates in these parts which [people] call the Red-Sea men, who often get great bootys of Arabian Gold. His Excellency gives all due encouragement to these men, because they make all due acknowledgem^{ts} to him; one Coats a captain of this hon^{ble} order p^{r}sented his Excellency with his ship, which his Excellency sold for £S00. and every one of the crew made him a suitable p^{r}sent of Arabian Gold for his protection; one Capt. Twoo who is gone to the Red Sea upon the same errand was before his departure highly caressed by his Excellency in his coach and six horses and presented with a gold watch to engage him to make New York his port at his return. Twoo retaliated the kindness with a present of jewells; but I can't learn how much further the bargain proceeded; time must shew that.

These things though bad enough in any officer and more particularly in the Gov^{r} of a Province, yet me thinks are of much less malignity than what I am now going to add, and that is the base and insolent behavio^{r} of our Govern^{r} tor'ds a Generall Assembly. This we account the barriere and guard of our libertys and propertys, but it signifies very little since his arrivall. If any act for the benefit of the people be desired to passe, he sells it 'em as dear as he can, and if they will not rise to his price they must goe without it. The people of Sopus to obtain the Act called the Boulting Act (which you understand the meaning of) were forc'd to pay severall hundred pounds, and because the undertakers for the money were puzzell'd to raise it by any other meanes, they jumbled it with the publick tax which swell'd it so high & made it so heavy as had well nigh occasion'd a mutiny.

The Assemblys have been ready to raise money even beyond the abilitys of the Country; some of w^{ch} they appropriated to pay off the particular debts contracted for the support of the Governm^{t}; part of this money had been diverted to other uses and therefore the Generall Assembly desired an account of it, as well to vindicate themselves to the Country as to trace out the misemployment of the revenue. But this was lookd upon by his Excellency as an intollerable piece of sawcinesse, for which he first brow beat 'em, then threatened 'em, and at last punish'd 'em with a dissolution. A new Assembly was to be chosen, and that it might be agreeable to his Excellencys own hum^{r} he us'd as many sinister tricks as you have ever heard complain'd of in yo^{r} House of Commons in England. He made severall seamen and souldiers freemen of New Yorke, of purpose to qualify 'em to vote in the election of Assembly men threatened the inhabitants who were inclined to vote for the old Assembly men, to presse 'em and put 'em on board a man of war, which lyes all the year long in the Road, not half mann'd, of purpose to terrify the poore seamen. His passion transported him so far at last, that he swore he would shoot any man through the head who durst appear to vote for the old Assembly men. By these meanes he gan'd his point, for the people terrified with the apprehension of being press'd and sent away from their familys durst not appear or stay in the field, but left him to choose whom he pleas'd. The Assembly of Pensylvania received but little better usage from him during his government of that province. He quarrell'd with them

for refusing to give him a halfpenny per pound out of the tax of a penny per pound which they rais'd tor'ds carrying on the war, and was so stiff in this particular that he wearyed out the obstinacy of yo^{r} freinds and carryed his point.

In short S^{r} no body lives tolerably under him but those who submit themselves to be his creatures and in his interests, such as the Judges & other officers who are dependant of him. His accounts indeed are pass'd by the Councill, but when such jobbs are to be done, his creatures only are summoned such as I mentioned before, who dare not oppose him, but are forced to approve what he requires. After this all you will perhaps wonder when I tell you that this mans bell ring twice a day for prayers and that he appears with a great affectation of piety, but this is true, and it is as true that it makes him only more ridiculous, not more respected. For we are a sort of downright blundering people that measure mens piety more by their practice than by their pretence to it, or ostentation of it. What I have writ and much more, will be prov'd if the people might be countenanced to doe it, but the app^{r}hension of his great power at Court discourages them from attempting it, lest a miscarriage should provoke him to a yet more barbarous usage of 'em and force 'em to leave the Province as many hundred have done since his arrivall there. I will undertake that if any neighb^{r}ing Govern^{r} shall be commissionated to take an account of the peoples grievances upon oath, the inhabitants shall cheerfully bear the charges of such cômission, and make such full proof of his arbitrary and illegall administration as will satisfy the Lords of the Cômittee of Trade and Plantations that this is a very unfit man to rep^{r}sent the Great Restorer of the English Libertys.

And now S^{r} that I have told you our distemper you will easily guesse at the cure we desire. It is the removall of this man, and we are not sollicitous whether he is gently r-call'd or falls into disgrace, so we are rid of him. If I may p^{r}sume to tell you my thoughts what would be for the safety of these countreys I wish his Maj^{ty} would place a Generall Govern^{r} over New England, New York and the Jerseys, so as the Assemblys, Courts of Judicature and Laws of the respective colonys may remaine and be kept separate and entire as they now are; for our laws & manner of trade are different from one another and the distance betwixt us would make very uneasie for the rest of the Provinces to resort to any one for comôn justice. But a Union under one Govern^{r} would be very convenient and particularly in time of war, and be a terrour to the French of Canada, who assume a boldnesse purely from our divisions into seperate bodyes and the piques that are to comôn amongst the severall Govern^{rs} of which the French don't want a constant intelligence. Besides such a Union under one Gen^{ll} Govern^{r} will be a meanes of making an easie conquest of Canada, which if effected, would make His Maj^{tie} Emper^{r} of North America secure the sole trade of Beaver to England, and defray its whole charge out of the booty to be found there. To satisfy you I don't say this at a venture I doe assure you the English in these Colonys out number the French of Canada no lesse than in the proportion of twenty to one, and what might not such a force united effect against so small a body, and yet this handfull of French are continuall thornes in our sides; which is wholly owing to our seperate government. Sir, besides your own cômands, I have been importuned by many Gen^{t}. of this Province to give you an account of our circumstances, and to beg your advice and assistance to deliver us out of 'em, which will be a charitable and generous act, to the whole Province, and the greatest pleasure to as well as obligation upon, Sir,

Your most humble serv^{t}

(signed) P. D. La Noy*

* This signature is cancelled in the original. — R. L.

The Lords of Trade to Governor Fletcher.

[New-York Entries, A. 25.]

To Coll: Fletcher Gov^{r} ettc

Sir

His Majesty having been graciously pleased, by His Commission under the great seal of England, to authorise and constitute Us his Commissioners for promoting the trade of this
Preamble Kingdom and for inspecting and improving His Plantations in America and elsewhere, We have thought fitt to acquaint you that it is His Maj^{tys} pleasure and express Command that the Governors of all his foreign plantations do from time to time give unto us
Information of the State of the province required. frequent and full information of the State and condition of their respective Govern^{ts} and Plantations, as well with regard to the Administration of the Govern^{t} and Justice in those places as in relation to the Comerce thereof; and more particularly that the said Governors transmitt unto Us yearly accounts of their said Administration, by way of Journal; Together with the acts of the Assemblies in the respective plantations and
Publick accounts exact accounts of all money given for publick uses, and how the same is from time to time expended or laid out. All which things, you are therefore accordingly to observe in relation to the Province of New York committed to your charge.

Particularly we desire and require you, by the first opportunity to send us a compleat list
Persons to supply Vacancies in the Council — Names of the present Council. of the names of the Present Council of the Province and together with that a further list of the names and characters of such persons as you thinke proper to supply the vacancyes that may happen either in the Council according to Her late Maj$^{ty's}$ instructions dated the 7th day of March 169$\frac{1}{2}$ or in any other Office, wherein they are to be confirmed, by His Maj$^{ty's}$ approbation.

Number of Inhabitants. And further we desire you to inform us what number of Inhabitants there are within that whole province? What of Freemen? and what of Servants, white and Black?

How decreased? To what degree are those numbers decreesed since your entrance upon that Government, or since the last estimate, that you understand to have been made of them.

How to prevent the removal of Inhabitants? What way do you conceive most proper to prevent the removal of the Inhabitants out of that Province into any of your neighbouring Colonies —

Militia. What is the whole number of the Militia of that Province?

Commodities. What commodities are exported from that Province to England?

Trade. What trade is there either by exportation or importation with any other place? and from whence is that province now furnished with supplyes (particularly of any
Manufactures. manufactures) that it was wont to be furnished withall from England.

Increase or decrease of Trade. How is the trade of that province increased or decayed of late years? and what hath been the reason of such increase or decay?

Illegal Trade. What are the present methods used to prevent illegal trade? and what further methods do you thinke advisable for that purpose.

Ships & Seamen What number of ships or other vessels are there belonging to that province, and what number of sea-faring men?

Ships built there. What number and what sorts of those Vessels have been built there?

Naval Stores. What Naval Stores of any sort (Masts, Timber, Pitch, Tar, Rozin, Hemp,

Saltpeter ettc) is that province able to furnish? More particularly is the Tar made there as good for shipping and cordage as that of Sweden?

Tar and Hemp. Is there an increase in the Quantity of Tar and of Hemp made in that province, as you gave reason to hope in your letter to the Lords of the Treasury the 15th of Aug: 1693. and if not, how comes so profitable a designe to have been hinder'd? and how may it yet be promoted?

Manufactures. What other Manufactures are settled in that province, of any sort whatsoever?

Train Oyle. What quantities of Train Oyle are made, annually in Long Island? and what

Fishery. other improvement in any sort of Fishery is or may there be made upon that coast?

To all which enquiries We also further desire you to add whatever else you may in your owne prudence thinke conducive to His Majty's service, to the interest of England, to the advantage of that particular province and to our assistance in the discharge of the trust reposed in us.

Several of his letters and other papers received. And now in the last place we are to acquaint You that several of your letters have been transmitted to us, vizt. The copy of one of the 30th May to His Grace the Duke of Shrewsbury; another of the same date to Mr Blathwayt and another of the same date with two of the 10th June to the Rt Honble the Lords of the late committee for Trade and Plantations, and together with those letters a packet of several papers relating to the affaires of that province, but no list of the said papers, which ought to have been sent along with them.

Laws. We finde also that these acts of your Assembly that we have received (which are dated from the 25th of March to the 24th April last) are not under the seal of your province; which gives us to suppose that some other more authentick copy of the same (under seal) has miscarried. And therefor we must desire you to send us yet another copy of the same, in authentick form; And for the future to send all the duplicates of your Acts in the same manner; that whichsoever of them arrives first may be authentick.

Present for the Indians. We hope you have before this time received the presents for the Five nations of Indians, that were ship'd by Mr Heathcote and parted from England in may last and that by the distribution thereof amongst them you will have been inabled to keepe those Indians firm to the English interest.

Richmond Frigat. Inlisting souldiers Subsistance Quota. The remaining subjects of your letters about the Richmond Frigat, your inlisting of men Their subsistance, the quota, and other things we shall lay before His Majesty.—

So we bid your heartily farewell

[Your Loving friends
J. Somers C. J.]

Signed

Tankerville —	Wm Trumbull
Ch: Montague	Ph Meadows.
Jno Pollexfen	Jno Locke
	Abr: Hill

Whitehall Septr 25th 1696.

[The words within brackets are added from the record of the above letter in *Book of Commissions*, II., 80-83, in Secretary's Office. — Ed]

Report of the Lords of Trade on the Northern Colonies in America.

[Plantations General Entries, XXXIV., (A.) 59.]

To their Excellencies the Lords Justices

In obedience so your Excellency's Command of the 20 of August last, we have read the papers thereunto annexed, which leading us unto the consideration of the present state of his Majesty's Plantations in the North Continent of America we find that his Majesty hath been at the charge of sending four Companys from hence thither, and for the maintaining of them there for many years last past, We are also told (for we cannot yet get a sight of the accounts) that that little province, besides the loss they have sustained at sea, as Coll: Fletcher their Governor writes, hath been at above £30000 charge in securing their Frontiers against the attempts of the French, and the Indians joined with them; this great burden having been thought too heavy to be borne by this single province, which was as it were the outguard to his Majesty's neighbouring Plantations in America, Her late Majesty of ever blessed memory was pleased to write to the Governor of Virginia, Maryland, Pensilvania and New England to agree upon a Quota of men or other assistance to be given by each Colony or province for the defence of New York as occasion should require, but by the pretence or various pretences of the several provinces, the intended Quota having not been settled and the Colonies concerned not coming to any agreement according to her Majesties direction, she was pleased for the preservation of those plantations to establish the following Quota 1694 viz:

	Men with their Officers
Connecticott	120
Rhode Island	48
Massachusetts	350
Maryland	160
Virginia	240
New York	200
Pensilvania	80

And to signifie her pleasuee to those provinces that that Quota of men, or the value of the charge of maintaining them should be the measure of assistance & be given by the said provinces respectively for the defence and security of New York, which order her Majesty by reason of the distinct and independent Governments and interests of those his Majesties provinces hath very uncertainly and imperfectly been complyed with, some of them having sent more some less in proportion to their several Quota's, & some none at all.

His Majesty has subjects enough in those parts of America, not only to defend themselves against all the attacks they may apprehend from the French in Canada, and the Indians joined with them, but even to drive them out from thence, but they are so crumbled into little Governments and so disunited in those distinct interests that they have hitherto afforded but little assistance to each other, and seem as they now are, to be but in an ill posture, and a much worse disposition to doe it for the future. And it is almost incredible that his Majestys Governor of New York in the middle of above forty thousand English that he has in his neighbourhood should say as he does, that he has but the four Companies his Majesty sent, and are in his Majesty's pay, their to rely on for the defence of that frontier, in case of any attempt from the French.

We having with our utmost care considered this whole matter are humbly of opinion

1. That there is force enough in those plantations to resist and repell all attempts may be made upon them by the neighbouring French, and their Indians, nor can it be imagined that so great a number of English there, should thinke it much to employ their own hands & purses in the defence of their own Estates, lives and families; but should expect to be wholly supported from England, which hath spent so much blood and Treasure in the carrying on so lasting and expensive a war.

2. We humbly conceive that the strength of the English there cannot be made use of with that advantage it ought for the preservation of those Colonies unless they be united, no though his Majesty should be att the charge to send more force from hence; for if as is pressed by the Governor of New York, the souldiers that his Majesty has there in pay should be made up full 500, that indeed might be a garrison able sufficiently to secure Albany against the French, but not the other plantations, since the French would certainly then decline that fortress and endeavour to make an impression upon some of the other provinces, careless of their own defence and not so well guarded.

3. That a great part of that Countrey being by Grants from the Crown in the hands of private Proprietors, and so cannot possibly be united under one Governor, We are humbly of opinion, that there can be no other way of uniting the forces of those severall plantations to make them effectuall for the preservation of the whole, but by putting them all under one Military head or Capt: Gen[l] which that his Majesty has a power to doe, both the necessity of the preservation of his people in time of danger must needs satisfye every reasonable man as well as the judgement of his Majesty's Attorney and Sollicitor Generall given the 2 of April 1694, convinces us that it may be done by law, their words in answer to a refference made to them concerning this matter, are as followeth

We are humbly of opinion that the Charters and Grants of these Colonies, Viz: Connecticott, Rhode Island, Providence, East & West Jersey do give the ordinary power of the Militia to the respective Governors thereof, but do also conceive that their Majesties may constitute a Cheif Commander, who may have authority at all times to Command or order such proportion of the forces of each Colony, or Plantation, as their Majesty's shall think fit, and further in times of invasion & approach of the enemy with the advice of the Governors of the Colonies to conduct & command the rest of the forces for the preservation & defence of such of those Colonies as shall most stand in need thereof, not leaving the rest unprovided of a competent force for their defence and safety, but in time of peace when the danger is over, the Militia within each of the said provinces ought, as we humbly conceive to be under the Government and disposition of the respective Governors of the said Colonies according to their Charters.

Whereupon we crave leave humbly to represent to your Excellencies, that we cannot conceive how it is possible that those provinces should be preserved unless his Majesty shall be pleased to constitute and appoint dureing the war some active, vigilant and able man zealous for his service and Government to be Capt: Generall of all his forces, and all the Militia of all the Provinces Colonies and Plantations on the Continent of the Northern America with a power to levy arms, muster, Command and employ them on all necessary occasions for the defence of those Countries under such limitations and instructions as to his Majesty shall seem best for his service & the good of those Colonies, and also to appoint and Commission officers to traine & exercise at convenient times such of the inhabitants as are fit bear arms, that they may be

expert and ready at handling of their Arms & Military exercises, since it will be too late to begin to make them souldiers, and fitt them for the defence of the Countrey when the danger is come upon them.

But because the Quakers inhabiting some of these provinces out of mistake or pretence of conscience refuse their personal aid in the use of force against his Majestys and their enemies, it may be left to the prudence of the said Capt. Generall to receive from them in money their share of assistance for the support of those men, whom he shall at any time find necessary to raise and imploy in their and their neighbouring defence.

2. And we further humbly offer that we conceive it necessary that the said Capt. Generall should have the power of Governour of any of the said plantations immediately depending on the Crowne whilst he is present in it.

Unless this be done, we doe not see how those provinces can be preserved, for in the present state they are in, wherein they doe and alwaies will refuse one another mutual assistance, minding more their present profitt than common defence, it is not conceivable how it can be avoided, but that they should fall into the power of so active an enemy as France, and one after another be all destroyed. The Massachusetts Connecticott New Hampshire Pensilvania, Maryland, & Virginia, all alledge in ex[c]use for not sending aid to New York, that they are all of them exposed to the enemy as much as that province, and yet we do not find that they are in a very good posture of defence, much less can they be depended upon for a timely and vigorous assistance to one another in case of danger, unless some body be there on the place with power to compell them to it. Whereas a vigilant General there having under his eye the care of the whole, would always be at hand to oppose the enemy with so many of the forces that are nearest which would be with greatest safety & least charge to those Countreys, and without any disturbance or expence to the remoter.

This he would be enabled to doe by having constant intelligence from the neighbour Indians our friends of the motions & designes of the enemy, upon which consideration we must crave leave further to represent that the said Capt Generall should be instructed to take all manner of care, to keep the five nations, and what other Indians are yet in amity with us firm in friendship; for it is beyond question that it would be utterly impossible for his Majesties subjects to subsist in those plantations, but they must inevitably be forced to leave them, if all the neighbouring Indians should once be got over to the French & become our enemies. To prevent that and for securing them to his Majesty's interest, it will be expedient that the said Cap: Gen^{ll} should from time to time make them such presents sent from hence, as he should find necessary, and that some of the most eminent & leading amongst them should be entertained, and have constant pay as Ensigns or Lieutenants of his Majesties, and be treated as his officers, and next that they should be rewarded for all executions done by them on the enemy, and the Scalps they bring be well paid for, Further that some lusty and vigorous youths of the English, should accompany them in their expeditions, huntings and other exercise, who by inhabiting amongst them would learne their language, grow acquainted wth their Woods Rivers and Passes, and come in a little time to be able to endure their fatigues; all which would be a means to familiarize them to us and strengthen their union with us, and to this, those young men should be encouraged by a certaine assurance of rewards and preferment, which they should never fail of according to their deserts in this service. That some of the bravest or most credited amongst our Indian friends should be brought (if they can be perswaded to it) into England to see the strength of his Majesty's forces by sea and

land, and the populousness of his Dominion especially of his great city of London, the certaine knowledge whereof would be of great force to confirme them in their union with us; And that also Captives of the enemy Indians should be brought into England for the same purpose. The knowledge of his Majesties power and greatnesse serving to deterr the One, as well to hearten and animate the other.

And lastly that effectuall means should be taken for the conversion of them to the protestant faith; for among these here, as well as all other men, Religion has been found to be one of the strongest bonds of union: To this good use we humbly conceive the Governor and Company here in London for propagation of the Gospell in New England, and the parts adjacent in America, will be very ready to apply their stock, and Revenue when they shall be made to see, that the converting the Mohaques, and others of the five nations (to which they have already contributed some small matter) is of the greatest importance imaginable for preserving of those of the protestant religion who are in those parts, as well as for the gaining new converts to it.

These things relating to the Indians we think we may with the more confidence recommend, they being with great care and earnestness practised by the French for gaining and holding of the Indians in Canada, where if they goe on by these means to prevail on them as they have hitherto done tis to be apprehended, his Majesty's subjects shall not be long quiet and safe in these his Northern plantations, On the back of which the French daily and with great industry extend themselves, and seem to have some other view then bare planting there, which gives us just reason to adde that we humbly conceive some such effectual course as we have here proposed, should be speedily taken, for fear it should come to late for there seems to us great probability that the French even at this time have some aime that way.

signed TANKERVILLE
PH. MEADOWS
JOHN POLLEXFEN
JOHN LOCKE. ABR: HILL

Whitehall
Sept: 30. 1696,

Report of the Lords of Trade on the Affairs of New-York.

[New-York Entries, A. 29.]

May it please Your Majesty.

Besides what we lately laid before their Excell^cies^ the Lords Justices concerning the general State of New York and the rest of Your Maj^ty's^ Plantations in America, Coll: Fletcher's letter of th 30^th^ May 1696 refer'd also to us by their Excell^cies^, mentions several particular matters which we humbly conceive may be consider'd a part what resolution soever it shall please Your Maj^ty^ to take in reference to those provinces in General.

Whereupon we crave leave humbly to represent to Your Maj^ty^ that it is our opinion that

Presents for the Indians.

Four hundred light Dutch Fuzees, which Coll: Fletcher hath desired for the use of the Indians, if they are rightly disposed of there, may be of great use for the confirming the Indians in their Friendship and union with the English, and for arming of them against the French: And therefore we humbly conceive it expedient they should be sent.

Supply of Powder and other Stores. He also writes for an annual supply of powder and other stores during the War. Upon our endeavours to inform ourselves the best we can concerning that matter, we finde in the books concerning the plantations, transmitted to us the annexed list sent by Coll: Fletcher of Stores which he demanded in May 1695, which we do not finde have been sent. We also enquired of Mr Brooke and Mr Nicoll concerning the State they left the stores in there, when they came thence, but they could give no information concerning that matter, tho' they are members of the Council there, sent over (As Coll: Fletcher writes) by the Government, to lay before Your Majty a true state of that Country; having in their passage, been taken prisoners by the French.

Powder etc. Though their ignorance and Coll: Fletcher's silence in this point leaves us uncertain, what quantity of Powder and other ammunition there is yet remaining in Your Majty's Magazin's there; yet we are humbly of opinion that the supplyes he desires should be sent him: That so, whatever may happen, the province may not be destitute of necessaryes for their defence.

Richmd Frigat. Coll: Fletcher further writes that the Richmond Frigat there, is a great charge, and of little use, which is confirmed to us by Mr Brooke who says that she Cruising as usuall in the summer, hath never yet taken one privateer, and that she is laid up all the winter. Instead of her Coll. Fletcher desires a light and nimble sayler as fitter for that service.

Richmd Frigat to be recalled. Whereupon we humbly conceive it would be for Your Majtys service that the said Richmond Frigat should be recalled and that another light and quick sayler,

Another to be sent. as Col: Fletcher proposes (if it may consist with Your Majty's affairs) should be sent in her place, so as to arrive there at the end of their winter, which we are inform'd is about the beginning of March; and should be made a convoy or a part of a convoy to any Merchant ships going from hence to those parts, at that time as there shall be occasion, and ordered to stay there under the direction of the Govr of New Yorke, for the service and guard of that and the neighbouring provinces, till the beginning of the next winter; and then to convoy any ships goeing from New York and the neighbouring provinces with provisions to Barbadoes, the Leeward Islands, or Jamaica, and to stay at Barbadoes or Jamaica for the defence of either of those Islands, and the trade thereof, till the merchant ships returning from thence to England, with the crop of those Islands in the spring, she also should return with them as an additional strength to their convoy, and to supply her place in New Yorke another such Man of war should be ordered hence thither to be there against the end of the following winter, and so annually. By this means Your Majty's ships of warr intended for the guard of New Yorke and the neighbouring colonies will not for the future be laid up uselesse all the winter season, but will serve to convoy the ships goeing with Provisions from these northern Provinces to the southern Plantations, at a time seasonable for them to come there to take in freight from thence (as they often do) and so come to England with the rest of the merchant ships under convoy.

The 4 companies filled up He further adds that he hath filled up Your Majties four companies there with men raised in that province at the rate of three pounds pr head and fourpence a day increase of their pay, for which the Assembly have raised a fund to defray that charge unto May next; till which time these recruits are listed. We are humbly of opinion that

The same method to be continued. Coll: Fletcher should be encouraged to continue on this method of keeping those companies full, till Recruits can be sent from hence, or till Your Majty having leisure to take into your Princely consideration the general state of that, and the neighbouring

Colonies which we laid before Their Excell^{cies} the Lords Justices, Your Maj^{ty} shall resolve on such measures as to your Royal wisdom shall seem best for the securing those Your Maj$^{ty's}$ Northern Plantations in America, And since Coll: Fletcher complains of frequent desertions, to which the retreat deserters finde in the neighbouring plantations gives an occasion, We are humbly of opinion that the proper remedy for this is that the several English Plantations in the Northern America should each of them respectively make effectual laws, to prevent the receiving and harbouring of deserters or Fugitives from any other of Your Majesty's Plantations. To which purpose we humbly conceive it convenient they should be writt to.

Laws to be made against Deserters and Fugitives

Mr Caleb Heathcote to be of the Council.

In a former letter of his dated 29th May 1695. Coll: Fletcher writes that upon the removal of M^{r} Dudley and M^{r} Pinhorn from the Council for nonresidence, he found it necessary to call M^{r} Caleb Heathcote to the Board and prays for a warrant for his confirmation. It does not appear to us, that any such warrant hath been hitherto sent; and therefore we humbly propose, that the said Caleb Heathcote be confirmed one of Your Maj$^{ty's}$ Council there, and that Coll: Fletcher be writ to, to fill up the other vacant place in the Council

Subsistence.

Coll Fletcher further presses in several of his letters that the subsistence for the four companies should be punctualy paid, which, with all the rest we with all humility submitt to your Majesty's great wisdome — —

Signed.

W^{m} Trumbull — Ph Meadows.
W^{m} Blathwayt John Pollexfen
John Locke Abr: Hill

Whitehall Oct^{r} 14th 1696.

Governor Fletcher to the Duke of Shrewsbury.

[New-York Entries, A. 152.]

9. Nov^{r} 1696.

To His Grace the Duke of Shrewsbury

May it please Your Grace.

He has been at Albany with the Indians.

Since my last of the 17th Sept^{r} I have been at Albany to strengthen the friendship and allyance of the Five nations of Indians I found them true to the English but inclineable to peace — They make remarks how the small number of French in Canada hold out and vex the English that are so numerous upon this Maine. They have earnestly solicited me to write to the great King and to get them an answer in the spring whether he will send his Canoos of seventy gunns, and destroy Canada; that they may make a peace for themselves, and have sent to His Maj^{ty} a small bundle of beaver skinns, some black stroakes upon the outside, representing the River of Canada and three round stroakes signifying the three principal places. I have transmitted herewith a copy of their propositions and humbly beg Your Grace to lay this affaire before his Maj^{ty} and procure me some answer or directions. They are a people of some consequence to His Maj$^{ty's}$ plantations on this Maine, and a barrier between the French and us.

Indian's propositions

He has delivered them the present sent by the King to the Indians.

I have delivered to them the present sent over by His Majᵗʸ with some addition made at the charge of the Governᵗ in consideration of the great loss sustained in this descent of the French into their Country, I have also prevailed with the Assembly to provide for their maintenance this winter having lost all their corne.

The revenue anticipated. People uneasy.

No assistance from other Collons

Our frequent alarms brings a hard duty and charge upon the province so that the revenue is much anticipated and cannot answer it. The people uneasy because of the inequality of the burthen. Our neighbours on both sides who reap an equall benefitt of the Protection, will give no assistance of men or money.

The Assembly have recruited the 4. companies.

I have prevailed with the Assembly to recruite the companies and am just now embarking for Albany upon intelligence that the Governour of Canada designes to attack it this winter, I hope my presence will encourage the Inhabitants of Albany to continue there.

Indian

One of the fighting Captains of Oneyde came down the River with me and was desirous to see if the Great King of Brittain fights the French as it is reported at Albany, I could find no interpreter to accompany him so am necessitated to take him up with me and send him back to own Castle.

A Party of French near Albany, beaten by Indians.

A party of French lately appeared near Albany to the number of thirteen were engaged by eleven Indians and beaten; the Commander being wounded (since dead) with two more surrendred. His Commission was from the Governor of Mount Reall to do what mischief he could, against the English and Indians of this Province.

Indians sent against the French

A party of three and twenty Indians and three Christians were sent out to march with all speed to the great lake,[1] who went, destroyed their Canoes, and met seven of the party whom they cutt to pieces, and brought in their scalps. Tis believ'd the rest will perish in the woods.

The examinations of the Prisoners are remitted to the Plantation Office.

May it please Your Grace.

Present for the Indians.

There is a continual expence of ammunition upon our frontiers, I must humbly beg Your Grace to intercede with His Majᵗʸ for some light Fuzees for the Indians;

Amunition and stores—

subsistence.

An annual supply of amunition and stores of war, and the punctual payment of the subsistance of the four compᵉˢ being all the force I have to depend upon. I

The companies recruited—

finde it hard and difficult to recruite the compᵢᵉˢ here but have prevailed with the Assemblies to enable me by levy money, which is punctually paid to the men and are to be discharged at a certain time. Men can not be had here upon other terms, the wages for the labourer are so high.

Colonel Ingoldsby hath a furloe from His Majᵗʸ for a twelve month. Officers here are more difficult to be got than men. I hope His Majᵗʸ will not give Furloes to any more of the officers here. I shall always do my utmost to adjust my duty to His Most Excellent Majesty and his province and approve myself

May it please Your Grace

Your Grace's most dutiful most

humble and most obedient servant

BEN FLETCHER.

[1] Lake Champlain. See post, p. 242.—ED.

Governor Fletcher to the Lords of Trade.

[New-York Entries, A., 153.]

From Coll Fletcher to the Lords of the late Committe

May it please Your Lordships.

Since my last of the 17th September I have had a Treaty with the Indians of the Five nations and send herewith a copy of what passed.

An engagement between some French and some River Indians —

Since my return from Albany a party of 13. French with an Indian guide appeared near that place, and were beaten by eleven River Indians the French Commander being wounded (since dead). with two other surrendred. A party of 3. Christians and 23. Indians from Albany were commanded immediately to march to the great Lake, who went and destroyed their Canoes, and meeting seaven of their party (the Indian guide one) cut them all to pieces and brought in their scalps, two of our Indians are wounded. The French endured great hardship and fed upon Acorns, 'tis believ'd none of them will get to Canada, I have transmitted the examinations of the Prisoners.

The 3 comp: upon the frontiers much weakened. — The Assembly have given a supply to recruit them for a year.

The three companies upon the Fronteers were much weakened by death and desertion. I prevailed with the Assembly to recruit them for twelve months in may last since my return from Albany the Assembly have satt and given a new supply to recruite them against the Winter.

He has an account the French will attack Albany this winter.
Recruits sent to Canada
No assistance frm the neighbouring Colonies.

The Inhabitants of Albany are under apprehension of an attack this winter, which I also have an account of the Governor of Canada has recruits last summer from France, and no relief is to be expected from the neighbouring Colonies at Albany, which has put many of the Inhabitants upon thought of removing to New York, for which reason I thought and am now imbarking with a detachment of my own Company to put myself in that post this winter and hope, I shall take off all their doubts and fears.

I shall be shut up by the ice for four months from the rest of the Province, I have left necessary orders and the same weather is our security from the attempts of the enemy by sea.

No assistance from the neighbouring Colonies.

I have made frequent application for assistance from the neighbouring Colonies, which are fruitless.

Our Indians inclined to make a seperate peace.

Our Indians were hearty and well disposed but much inclining to make a peace for themselves.

He sends a bundle of beaver with the Indians description of Canada to the King.
The Indians press for an answer against spring.

I have remitted a bundle of Beaver with their description of Canada which I send to His Most Excellent Majesty, directed to Mr Blathwayte, they have limited me to get an answer against the spring.

Address and Association.

I have also sent an address and Association signed by the General Assembly in this province being the first time of their meeting since we had the happy news of that wonderfull deliverance to His Majties most sacred person and Govern[t]

He desires the neighbouring provinces may contribute to the defence of the frontiers.
He desires some light Fuzees.

I humbly beg your Lordship to intercede with His Majty that the neighbouring provinces be at least obliged to contribute to the charge accrewing to this province to support the Frontiers, for some light Fuzees which I formerly wrote

And an annual supply of Ammunition and subsistence.

for, for the Indians, an annual supply of ammunition, with the subsistance of the four Companies, being all the force I can depend upon ——— I am

May it please Your Lordships

Your Lordps most dutiful most obedient

and most humble servant

New York 9th Novr 1696. BEN: FLETCHER

Journal of Governor Fletcher's Visit to Albany.

[New-York Papers, A.B. B.40.]

A Journall of what passed in the Expedition of His Excêll: Coll: Benjamin Fletcher Captaine Generall and Governour in Cheife of the province of New Yorke &c to Albany, to renew the Covenant Chain with the Five Canton Nations of Indians, the Mohaques, Oneydes, Onondages, Caijouges & Sennekes.

Sept. 17th 1696. On Thursday after sunsett his Excêll: imbarqued at Greenwich; on Tuesday morning arrived at Albany.

22th This day his Excêll. viewed the fortifications of the City and gave orders to ye Mayr and Aldermen for such reparacôns as were found needfull in the blockhouses platformes and stockadoes.

27th Sunday afternoone the Sachims of Oneyde and Onnondage arrived at Albany, in the evening they supped with his Excêll: giving great expressions of ye joy and satisfaccôn they had in meeting his Excell:

28th His Excêll. sent Capt James Weems to view the garrison at Schenectady and bring report to his Excêll: what necessary repairs are wanting which was performed accordingly.

This day the Sachims of the other three Nations arrived and desired time to rest themselves till tomorrow

29th His Excêll: called the Sachems together and spake

At a meeting of the Sachims of the Five Nations at Albany the 29th of September 1696.

PRESENT—His Excêll: Coll. Benjamin Fletcher &c
Coll. Nicholas Bayard
William Pinhorne Esqr } of the Council
Majr Peter Schuyler
Matthew Clarkson Esq Secretary
The Mayr Recorder & Aldermen of Albany &c

His Excell said:—

Brethren. It is an inexpressible satisfaction to me that I see you here; I do heartily condole the losse our brethren the Onondages and Oneydes have susteined by the late eruption of the French army from Canida.

Upon the first certaine intelligence I had, I came up in person with [what force] I could hastily gather for your assistance.

And I am now here and present you the Onondages and Oneydes these two belts of wampum as a confirmacôn of my sincerity and these kettles to repair your losse in that kinde.

Brethren

Two months agoe I received at New Yorke the first intelligence that the French had made an insult upon your countrey. I forthwith came up as I said before to yo^{r} releife and assistance. I had an account before I did reach Albany from some of your people that the French army were retreated & marched back towards Canida. I then sent expresses desireing you all to meet me at this place; some time after I received yo^{r} answer that you would meet me about this time in Albany; and I am now come up a second time this summer in order to renew the covenant chain and to consult with the brethren what is most propper and may be most conducing to the common good and safety of the whole House.

Brethren

I do acquaint you from my most illustrious Master the King of Great Brittaine France and Ireland that he will alwayes extend his gracious proteccôn to you and as a seal of it His Majesty has commanded me to deliver you these presents to keep bright the Covenant Chain from all rust and to strengthen it in behalfe of all his Majestyes subjects, not only of this Province, but those also of New England, Connecticutt, the Jerseys, Pensilvania, Maryland and Virginia.

A List of the presents sent from the Kings Most Excellent Majesty & given to the Indians (viz^{t})

24 blew Coats [laced wth broad Lace]	1 barrell powder
24 laced hatts	400 weight lead
24 p^{r} shoes with buckles.	1000 flints
24 Shirts	1 grose of tobacco pipes, wood & tinn
22 dozen hose.	2 grose knives
30 gunn barrils & locks.	6 pound vermilion
30 brasse kettles.	

prime cost in England of the above goods £200 sterling.

A list of presents added by the government of New Yorke.

1 piece [of blue] duffils	100 hatchetts
2 Cask Swanshott	54½ lb tobacco in roll
7 barrills powder	2 grose pipes
14 large kettles	Wampum £3. 9.
7 pieces of white hamills for shirts	28 gallons rumm.

	L.	s.	d.
All which cost in New Yorke money	169.	5.	4½
For provision to the Indians & repairing their arms	130.	19.	7
Cash for messengers, Indian Scouts for intelligence of the enemyes motion p^{d} by M^{r} Dellius M^{r} Banker Maj^{r} Schuyler & Maj^{r} Wessells	100		
From England 200£ sterling in N. Yorke money is	260		
In all	£660.	4.	11½

At a Meeting of the Sachims of the Five Nations at Albany the first of October 1696.

PRESENT—His Excêll: Coll. Benjamin Fletcher &c
Coll: Nicholas Bayard
William Pinhorne Esqr
Majr Peter Schuyler
Matth: Clarkson Esqr Secy.
The Mayr & Aldermen of Albany &c

Sanonguirese a Sachim of the Mohaques was Speaker

Brother Caijenquiragoe.

We returne you thanks for what you have said the day before yesterday in condoling of our losse, and for the kettles which you gave us to boyle our victuals in the room of those that are lost by the enemy as also for the two Belts of Wampum given us as a token of yor sincerity, by which our hearts are mightily rejoiced and lifted up in this our poor condition.

Brother Caijenquiragoe

We are exceedingly rejoyced that the Great King over the Seas has sent us in this our low condition, by which our hearts are lifted up, we were ready to sink in a miserable perishing condition and this makes us revive again. He laid down six Beaver Skins.

Brother Caijenquiragoe.

We come to desire you to acquaint the Great King that the enemy has brought us to a very low condition and have distroyed five of our Castles; one is now left, and if that be destroyed we know not what to do; we know not what shall become of us next; pray let the Great King know this.

Brother Caijenquiragoe.

We desire that since the Great King of England &c has cannoes of seaventy gunns a piece and many forces, you may acquaint him that it is a great pity we should be so plagued with soe small an enemy as the French and Indians of Canida. We are not able of ourselves to destroy them.

We are become a small people and much lessened by the warr. If the people of Virginia, Maryland, Pensilvania, the Jerseys, Connecticutt & New England who have all put their hand to the Covenant Chain will joyne with the inhabitants of this place, we are ready to go and root the French and all our enemyes out of Canida. He then laid down a bundle of six Bever skins and on the outside thereof a draft of the river of Canida with the cheife places there of marked, to show the smallnesse of the enemy and how seated upon Canida river; which they desire may be sent over & shown to the Great King.

Quebecq
Montreall
Troy rivier.

Brother Caijenquiragoe.

We again thank you for the message you have brought from the Great King.

And we pray you to send again to him for us with all vigour and speed, and to lay before the King what we have here said; faile not in writeing, faile not to let the King know it. We give these five beavers to the man that writes, to pay for the paper penn & ink.

Brother Caijenquiragoe

We desire you to acquaint the Great King as before, that we are a small people and he has a great people and many cannoes with great gunns; we desire you to write to him to know

whether he will send them to distroy Canida or not, against the next time the trees grow green; and if he will not send forces to distroy Canida then to send us word thereof that we may make peace for ourselves, for ever, or for some time.

And we earnestly pray you will desire the Great King to send us an answer by the next time the trees grow green. He laid down a bundle of six bevers.

At a meeting of the Sachims of the Five Nations at Albany Octo^{r} 2^{d} 1696.

PRESENT— His Excêll: Coll Benjamin Fletcher &^{c}
Coll. Nich. Bayard
William Pinhorne Esq^{r}
Maj^{r} Peter Schuyler Esq^{r} Sec^{y} } of the Council.
Matth: Clarkson Esq^{r} Sec^{y}
The May^{r} Recorder & Aldermen of Albany &^{c}

Dackashata a Sachim of the Sinnekes was Speaker

Brother Caijenquiragoe.

We come to condole the losse you daily receive having daily alarms of sculking partyes of the enemy doing mischeife. Then laid down a belt of Wampum.

Brother Caijenquiragoe.

I am come with the whole House to consider what tends to the comon good of the whole House.

Brother Caijenquiragoe

We come here to quicken the fire, and renew the Covenant Chain.

Brother Caijenquiragoe.

We come to renew the Convenant Chain with all the brethren of New England, Connecticutt, New Yorke, the Jerseys, Pensilvania, Maryland & Virginia that they may partake of the warmth of the fire.

Brother Caijenquiragoe.

We recommend to all that are in the Covenant Chain to be vigorous to keep it up.

Brother Caijenquiragoe.

When all is said I drinck to all yo^{r} healths & then I deliver you the cupp

Brother Caijenquiragoe.

There has been a cloud and we come to remove it, as the sun in the morning remove the dar[k]nesse of the night.

Brother Caijenquiragoe.

The Tree of safety and welfare planted here we confirme it.

Brother Caijenquiragoe

As the tree is planted here and confirmed, so we make fast all the roots and branches of it, all the brethren of the Five Nations and the brethren of Virginia Maryland, Pensilvania, the Jerseys, New Yorke, Connecticutt, & New England.

Brother Caijenquiragoe

We wish we may rest in quietnesse under that tree. We fill it with new leaves, and wish all that are in the Covenant Chain may have the benefite to sitt down quiett under its shaddow.

Brother Caijenquiragoe

I do hereby renew the Covenant Chain with all that have put their hands in it Virginia, Maryland, Pensilvania, the Jerseys, New Yorke, Connecticutt & New England.

Brother Caijenquiragoe.

We renew the Covenant Chain in behalf of the whole House, the Mohaques, Oneydes, Onondages Caijouges and Sinnikes.

Brother Caijenquiragoe.

We have lately had the losse of two Castles by the enemy, we have concluded to do our best to assist them and we desire Caijenquiragoe will do the same.

Brother Caijenquiragoe.

We wish the Cannoes may go to and again in safety that the Great King may know what we have here said and that we may have an answer. We now have made our word good; here is the cup. Then laid down some small bundles of bever saying,—It is but small, but is as it were saved out of the fire.

His Excell stood up and said:—

Brethren.

I have heard what you have said, and have here renewed the Covenant Chain with all the Five Nations the Mohaques, Oneydes, Onnondages, Caijouges, and Sinnekes, in behalf of the Brethren of this Province, Virginia, Maryland, Pensilvania, the Jerseys, Connecticutt & New England; and I assure the Five Nations of his Maj^{tyes} proteccôn. I have provided for you some victualls and drink to drink the King's health, and in confirmacôn thereof that it may last as long as the sun & moon endures I give this Belt Wampum.

The principle Sachim of the Mohaques called—Oheee
The whole Assembly answered Heeeeee Hogh.
The principle Sachim of Oneyde called. Oheee
The whole Assembly answered Heeeeee Hogh.
The principle Sachim of Onnondage called—Oheee
The whole Assembly answered Heeeeee Hogh.
The principle Sachim of Caijouge called—Oheee
The whole Assembly answered Heeeeee Hogh
The principle Sachim of Sinneke called—Oheee
The whole Assembly answered Heeeeee Hogh.

In the evening His Excêll. did appoint the principle Sachims to meet him at a private conference next morning.

At a private Meeting of the Sachims of the Five Nations at Albany the 3^{d} of Oct^{r} 1696.

PRESENT—His Excêll. Coll. Benjamin Fletcher &^{c}
Coll Nich Bayard, W^{m} Pinhorne Esq, Maj^{r} Peter Schuyler[1] } of the Council.
Matth: Clarkson Esq^{r} Sec^{y}
[M^{r} Dellius, Maj^{r} Wessells, The Mayor of Albany.]

[1] This name does not appear on the original Minute. *New-York Colonial Manuscripts*, XLI.—ED.

His Excellency said:—

Brethren.

It was proposed by the Speaker of the Five Nations the first day that I should write to my Great Master the King of England &c concerning the warr that is between the Five Nations and the French and Indians of Canida and that I should gett an answer from the Great King to you the brethren against the next Spring.

Brethren

I must assure you its utterly impossible in so short a time to send over to my Great Master and to receive an answer for reasons which I shall now give you.

The way over the great Sea is long, the danger and hazards are many, and in the winter season [happen] many storms and contrary winds.

Brethren, I do promise you to use all the speedyest means with the first opportunity to write to the Great King and to get you an answer which I am sure will be to yo^{r} content and satisfaction and so soon as it comes I shall communicate it to you.

Brethren.

In the mean time I have appointed Maj^{r} Schuyler M^{r} Dellius Major Wessells and the Mayor of the Citty of Albany to receive yo^{r} propositions upon any occasion that may happen in my absence

Brethren

I do heartily wish you home well to yo^{r} own Castles and that you may look out and be carefull not to be surprised; you can never be too watchfull. I now take my leave of you and give each of you a kegg of rumm for a dram to comfort you in the way home, and a coat to keep you warme in the winter. I shall see you again (God willing) next summer or sooner if yo^{r} affaires call, if it please God to continue my health.

The Sachims offer to make some propositions. Sanonquirese Sachim of the Mohaques Speaker

Brother Caijenquiragoe.

We have been a long time in the Covenant Chain with the brethren of New Yorke, in which afterwards at sundry times the brethren of Virginia Maryland Pensilvania, the Jerseys, Connecticutt & New England came and linked themselves. They like'd the chain of peace, but where are they now; they do not like to take part with us in the war. They are all asleep; they came not to our assistance against the enemy, their hands hang down straight, and their armes are lame; we see none minde the warr but the brethren of New Yorke.

We are now down upon one knee, but we are not quite down upon the ground; lett the Great King of England send the great cannoes with seaventy gunns each, and let the brethren of Virginia, Maryland, Pensilvania, the Jerseys, Connecticutt & New England awake, and we will stand up straight againe upon our feet; our heart is yet stout and good; we doubt not but to destroy the enemy. Then laid down a Belt of Wampum.

Brother Caijenquiragoe.

We again desire you to write to the Great King and to gett us an answer against the next time the trees become green and that there may be no delay. Let it not be said to us the

cannoes are lost under water, or that the wind has carryed them into another country, or the like excuse, but let us have the answer against the trees grow green, without faith, for we are in great need of it. Then laid down a Bever skinn

To which His Excêll. made answer

Brethren

I shall be faithfull and exact to my promise to you. I shall send to the Great King my master by the first opportunity and be carefull in sending you the Great Kings answer, as I told you before; but I cant be positive to a time when the voyage depends upon the winde & weather which are soe uncertaine. I wish you well to yo^{r} castles.

The principle Sachim of the Mohaques called — Oheee

The whole number of Sachims answered Heeeeee Hogh &^{c}

Oct. 4th Cloaths were delivered out to the Companyes being a gratuity of the Assembly to those soldiers that had served the preceding winter; being of the £500 tax.

5th The Companyes were mustered by Mathew Clarkson Esq^{r} Secr^{y} and afterwards the Oaths administered to them, and every man had two dollars paid him of the 4^{d} a day, likewise granted by the Assembly; the money was taken up upon creditt, the tax not being paid nor the first moiety payable till the 29th of Septemb^{r} last.

His Excêll. on the head of each Company did encourage the men and told them not to believe the reports of factious disaffected persons; promising that the four pence a day should be paid into their own hands. In the afternoone the same day His Excell: imbarqued for New York, being attended to the shoare by the May^{r} Recorder & Aldermen and the Common Councill, with the soldiers and train bands in arms, and having recommended to the Magistrates of the City and the Officers to be vigilant and amicable and to unite in their endeavours for the defence of the place, took leave of them about 3 a clock after noone.

Oct^{r} 9th Fryday morning His Excell. arrived at N. Yorke.

(signed)

David Jamison Cl. Concilij.

[The words in the preceding document, within brackets, are added from the original Minute in *New-York Colonial Manuscripts*, XLI.—Ed.]

Examinations of Three French Prisoners at Albany.

[New-York Papers, A.B. B.41.]

The Examinacôns of Joseph De Boake Philip Andrie la Coudre & Isaaq Giggon la Pomere, taken by Capt James Weems and Captain William Hyde in Fort Orange at Albany, seperatly exâied. the 16th of October 1696.—

Joseph de Boake[1] being called saith that on the 24th of September last by an order in writeing from Mons^{r} Callier Govern^{r} of the Isle of Montreall he marched from the said place having

[1] Dubeau. *Paris Documents*, V., 395.—Ed.

under his command one and twenty French and one Indian with fourty five dayes provisions, that they were twelve days upon the river and landed upon the shoare of Lake Shamfahire[1] above the point of La Sheblare ;[2] there left their three Cannoes with all their provisions but tenn dayes, which they took with them and designed to make an eager attack upon some part of the Five Nations or the English their enemys. After eight dayes travell they arrived at some uninhabited houses over against the Flatts where he advanced himselfe with two more to discover what he could, leaving the rest of his party behinde him about a league and halfe; but discerning three Indians burning of a ring, fearing lest he should be discovered retreated to his party, and betook them selves to a thickett that night, and next morning marched towards Kinderhook, and next day about two hours before sunsett they were attacked, being only at that time together of them, thirteen, the rest being dispersed or lost. After some shott being discharged on both sides his party and he retreated, the Examinant being greivously wounded in the arm was not able to proceed; therefore advised his party to surrender to some of the English in the next villages; for he was not able to head them any longer, by reason of being very faint with the losse of much blood, and earnestly importuned them to submitt according to his council least they should fall into the hands of the Indians, who would have no mercy of them: all refused but two who joyned with him and in three dayes after surrendered to the inhabitants of Scotack who brought them to Albany this day.

The Examinant further sayeth that he commanded the battoes and canoes that caryed Count Frontenac with his army of 1600 French and 460 Indians in his expedicôn within three leagues of the Onondages Castle where they landed with two small feild pieces, and two small mortars to throw hand granados, and the very same day moved up towards the place but found the Castle burnt down & demolished, being done a day before their arrivall there, that they destroyed all the Indian Corn round the place, then moved to the Oneydes Castle, which they burnt, and distroyed all their corne, finding in the Castle thirty men women and children which surrendered themselves prisoners to them; then returned home and by the way met with some small skirmishes.

The said Examinant says further that in Septemb^{r} last arrived at Quebec twelve ships, whereof six men of warr with 300 recruites, stores of ammunicôn, provisions and money to pay the forces; and further saith not.

Isaaq Giggon La Pomere upon his examinacôn answers every question to the same effect of Joseph de Boake, but that he was not in the expedicôn with Count Frontenac into the Indian countrey, that he had no offer of any gratuity for doing mischeife in these parts and is ignorant of any that has or is to be given, but by dependance upon voluntary generosity of their Governour.

Philip Andre de Caudre answers in his exâicôn to all questions after the manner of the former examinacôns, but knows nothing of the expedition into the Indian Countrey. and knows but very little of the arriveall of any shipping or recruites to Quebec but by report.

James Weems
William Hyde.

A true Copy
(signed) David Jamison Cl. Concilij

[1] Lake Shamplane. *New-York Colonial Manuscripts*, XLI.— Ed.
[2] Pointe à la Chevelure, now Crown Point.— Ed.

Governor Fletcher to Mr. Blathwayt.

[New-York Entries, A. 183.]

To Mr Blathwayt

Sir.

He has treated with the Sachims of the Five nations.

Since my last I have been at Albany and treated with the Sachims of the Five nations they complain of the tediousness of the war and the sloth and negligence of the neighbouring Provinces. They have desired me to write to the Great King and get them an answer against the spring, and are willing to push along with us for a conquest of Cannida or to make peace for themselves, the propositions come herewith. I have directed the Beavers which they present to His Sacred Majesty in a box to you to do as you think most proper and have acquainted his Grace the Duke of Shrewsbury.—

They are willing to attempt with us the conquest of Canada

A party of French defeated.

We have had the good fortune to defeat a party of French that came from Cannida to make discovery and take prisoners, three of them did surrender and seven being overtaken by a party of Christians and Indians from Albany were cut to pieces in the middle way betwixt and Cannida.

The French have received recruits.

They design to attack Albany.

The French have had Recruits last Summer from France and I am informed have a design to attack Albany in the Winter. I am now imbarking for that place to remain there this season and take a detachment of my own company with me. I cannot depent upon the assistance of our neighbours. I hope by the grace of God with the forces I have and such as I shall be able to draw together from Ulster and Dutchess Countys, upon an alarm to be ready, to give them such warm entertainment as will make them quickly repent their journey. This will be my third voyage to Albany this year.

No assistance from their neighbours to be expected.

There is a great consumption of powder and stores by our frequent alarms and to supply the Indians and extraordinary charges accrueing in time of war. The neighbouring provinces will neither contribute to the duty nor charge; Connecticutt and the Jerseys will do nothing. I humbly desire your assistance in procuring some relief to this Province from the neighbouring Colonies, some light Fuzees for the Indians which I wrote for formerly; an annual supply of forces and ammunition and that the subsistance of the four companies be punctually paid—and am

Connecticutt, the Jerseys etc will not assist them.

He desires some light fuzees for the Indians An annual supply of forces and amunition and the subsistance for the four companies.

Sir. Your most obedient and
most humble servant
Benj: Fletcher.

New York the 9th Novr 1696.

Memorial of Messrs. Brooke and Nicolls relating to the Defence of New-York.

[New-York Papers, A. B. A.19.]

To the Right Hon^ble^ His Ma^ties^ Com^rs^ for Trade and Plantations.

The humble Memoriall of Chidley Brook and William Nicoll.

In our memoriall to their Excellencies the late Lords Justices of England referr'd to yo^r^ Lôpps. wee have set forth the state and condicôn of the Colony of New York in America in relation to the Warr and dangers from the French in those parts & upon yo^r^ Lôpps. comands in one other memoriall humbly offered our opinions of the methods to be taken for the securing that Colony and the other English plantacôns in that country from the ruine the French neighbourhood there apparently threatens; Wee now humbly lay before yo^r^ Lôpps. the following p^r^ticulars as very necessary for the safety & good of that Colony, to witt:—

1^st^ That the Fort at New York may be strengthend and enlarg'd, it being at present only a defence against Indians, and that an Ingineer be sent over to that purpose, and for the other forts and fortificacôns mencôned in our former memoriall.

2^d^ That the pay of the Companyes at New York may be made sterling money, the value of money there is a full third less than here, two pence sterling is stopt in England for Clothes, and it costing six pence p^r^ diem New Yorke money to subsist them; the men every day are brought in debt & the excessive price of clothes &^c^ in those parts make the hardship on the officers not less than the private men; for this reason the Assembly have found it necessary for the p^r^esent subsistence of the men to grant them an allowance of 4^d^ p^r^ diem a man addicônall to their pay till May next.

3^rd^ An annuall supply of stores of warr (viz^t^) one hundred barrells of powder, with match ball cartridge paper &^c^ proporcônable; and that there may be an order to the Governo^r^ directing him to allow the Indians powder &^c^ out of the Kings Stores during the Warr.

4. In the fort of New York are two small mortarrs the diameter of the one is 8 inches & $\frac{5}{8}$. 7 inches & $\frac{3}{8}$ the other, 100 granado shells for each are wanting; as also

5. Six large union flaggs for his Ma^tyes^ severall forts in that Colony, which we pray may be added to the stores already ordered.

These things wee humbly desire may be granted, and that the Colony of New York (which by it's scituacôn and the course of the Rivers and by the amity and good understanding it has had with the Five Warlike Nations of Indians is become a Barrier to the rest of the English Dominions on the main land) may receive such seasonable releife and assistance that the English interest may take no prejudice by any incroachm^t^ or invasion by the French there. Wee are

Yo^r^ Lord^ps^

Most humble and most
obedient Serv^ts^

(signed) Chid: Brooke

13 Nov^r^ 1696. (signed) W. Nicoll.

Council of New-York to the Lords of Trade.

[New-York Entries, A. 162.]

Letter from the Council of New York to the Lords of the late Committee.

May it please Your Lordships.

His Excellency our Governour went to Albany the tenth inst: to remain there this winter upon some intelligence he had of orders the French Governour had to attack Albany and of Recruits of men and stores come to Cannada.

The Inhabitants threaten to leave Albany

Many of the inhabitants did threaten to remove their familyes unless there were a better force to keep it. The Indians accuse the neighbouring provinces of sloth & negligence.

The Assembly have recruited the Forces.

The Assembly of this Province to recruit the Companyes upon the Frontiers, and to be eased from the burthen of detachments have given six pound a man levy money for six months service besides the King's pay, and a groat a day.

No assistance from their neighbours.

There is no assistance to be expected from our neighbours, they will do nothing.

The winter sets in a pace is the reason His Excellency left us with directions to seal up his packet, lest the river be shutt up.

They desire their neighbours may bear an equal proportion in the charge of the war—

We hope our Gracious King will consider of the hard circumstances this province is under to preserve and maintain His Majᵗʸˢ interest in these Parts, and give effectual directions that the neighbouring provinces be brought to bear an equal share of the duty and charge of the warr.

His Excellᶜʸˢ personal presence at Albany this winter (we doubt not) will be a means to allay all the doubts and fears of the people and encourage the Indians and secure the Garrison.

He cannot always remain there, this City and fort may be surprised from sea in summer, and it is the seat of Governᵗ

If the inhabitants of Albany remove the Indians will be discouraged.

When the Inhabitants of Albany begin to remove they will be apt to follow one another it will discourage our Indians they are much courted by the French.

We are

May it please Your Lordships

Your Lordᵖˢ most obedient most dutiful and most humble servants.

N. Bayard, S. V: Cortlandt,
Fredryck Flypse, Wᵐ Pinhorne,
S. Minvielle, Caleb Heathcote.

New York 23ᵈ Novʳ 1696. D. Jamison Cl: Councillij—

Mr. Penn's Observations on the Proceedings of Governor Fletcher.

[Journal, IX., 275-6.]

Whitehall December the 11th 1696

At a Meeting of His Majesty's Commissioners for Trade and Plantations.

PRESENT—Earl of Bridgewater
S^r Philip Meadows
M^r Hill
M^r Blathwayte
M^r Pollexfen

East New Jersey As a Proprietor of East New Jersey, M^r Penn complained also that the Governour of New Yorke obliged the ships that came thither with goods from England to pay New Yorke customes. To which he was answered that Colonel Fletcher was ordered by his instructions to do so: And the necessity of that practice was shown, by the neighbourhood of that Propriety to the King's Province of New Yorke, which is such that if goods were received there custom free, they may be clandestinely transported into New Yorke to the defrauding of His Majesty's customs there.

Quota He spoke also of the Quota required from the neighbouring Colonies for the defence of New York And said that he conceived the best way of regulating it would be, by stated Deputies from each Province, to meet in one common Assembly: The effecting of which was observed to require one Captain General or Vice Roy to preside But upon these heads he was desired, and he promised so draw up a schem more fully in writing.

New Yorke He delivered to the Board a letter to himself dated in New Yorke the 13th of June 1695 (the name subscribed being blotted out)[1] which he said he had kept eight months in his hands, being unwilling to concern himself in the matters that were contained in it, which were cheifly complaints against Colonel Fletcher. But however he thought fit in the end to discharge his hands of it; so left it with the Board to consider of. He suggested also in discourse some complaints of violence and harsh carriage in Colonel Nicholson Governour of Maryland.

Complaints agt Coll. Fletcher.

After he was withdrawn, their Lordships hereupon ordered that the Secretary should write both to him, and Major General Winthrop (who it was said had formerly also made some such like complaints) to desire them to give the Board particular Accounts in writing of what either themselves or any persons were able to prove against either of the foresaid Governours.

Governor Fletcher to Messrs. Brook and Nicolls.

[New-York Entries, A. 164.]

From Coll: Fletcher to M^r Brook and M^r Nicolls dated at Albany the 20th Dec^r last delivered to the board by the said M^r Brook and M^r Nicolls.

Gentlemen.

I can add little to what I said at my departure from York; I then left a Packett to be dispatched by way of Virginia which I hope will come safe after so many have been lost.

[1] See P. de la Noy's Letter, ante, p. 221.—ED.

His reasons for going to Albany.

The frights and daily removall of these people with the intelligence of a design'd attack from Canada on this place obliged me to put myself into it for this winter.

Account of his voyage to Albany

The tenth of November I left Yorke with a detachment only of my own company with much difficulty, the wind at North West and the weather exciding cold, we got up beyond Ulster, we were twice driven on ground by the Ice, and the 18th lockt up by it, so we continued all that day and night, the 19th I went on shore over against a great tract of Ice and so walked on full five miles, to a little Dutch Town called Potcoke;[1] where I lodged that night in my cloaths with Dundalk accommodation, next morning by the Assistance of Major Schuyler who I met by chance, got horses and waggons and March'd to Kinderhooke; the next day being the 21st I reached Green bush, and walk'd from thence over the Ice to Albany, to great appearance of satisfaction in the people.

Some River Indians rout a Party of French

He rewards them and is sending some of them with some Christians to the great lake.

My first business was to send for the River Indians, who knocked a party of seaven Frenchmen in the head, who were sculking upon our Coast — For their better encouragemt I gave them six pound, for each man they kill'd, they were much pleased with it and promised to continue in Loyalty to the King, and to supply me with some scouts this winter, to ly upon the lake, which scouts I am now dispatching with some Christians mixed with them.

He sends a message to the Five Nations.

My next care was to dispatch a Messenger with a belt of Wampum to the Five nations to let them know I am personally here to cover and assist them against the common Enemy, and that I expect they should continue firme to the covenant chain and in their loyalty to the Great King my master.

He is putting the wooden Forts into the best order he can.

In the mean time I am endeavouring to put these wooden Fortifications into the best method of defence that I can, and seeing the companyes dayly exercised at the relief of guards, having here no more men than the three companies with a detachment of thirty from my own; this is all that had occurred since my arrival, only I got by much importunity twenty five men from Connecticut as Recruits for the companies here — The French Govr of Canada has this summer received considerable recruits of men and stores of war and spits forth his brags, that he will be Master of Albany this winter; he shall meet the warmest Intertainment I can give him. —

He had got 25 men from Connecticut

Recruits arrived at Canada the Govr of that place designes to attack Albany this winter.

He desires stores according to the list formerly sent.

I must desire you to enquire after a list of Stores I formerly sent to the Plantation Office, I have not the copy by me, I remember four hundred light fuzees I desired for the Five nations, also I desired some Strouds, Duffels and Blankets might be sent to them.

The French endeavour to draw off the Indians.

The French do endevour both to awe and bribe them, I am sure it is for the King's service, that they be encouraged. I must also desire your endevours that

Pay and Cloaths for the 4. comps

pay and Cloathing may be sent over for the four companies.

The dearness of labour makes it difficult to get soldiers.

The rate of labourers here makes it difficult to get men, the Officers are also under great hardships, they can not eat and buy a coat out of their subsistance, you know how scarce and dear provisions and cloths are in this countrey.

It seems strange to me that any mallice should be found to impeach you for want of Loyalty and affection to His present Majesty, I have been a witness of your zeal and fervour to his service. That nautious calumney will blow over of itself, it cannot stick upon you — I am —

Your affectionate friend
and servant

Albany Decr 20th 1696. BEN FLETCHER

[1] The Van Rensselaer Patent (or Claverack) in Columbia county, is called "Potkoke" in *Land Papers*, III., 124. — ED.

Conference between Governor Fletcher and the River Indians.

[New-York Entries, A. 174.]

Conference between Coll Fletcher and some Sachims of the River Indians at Albany 4. December 1696. transmit^{d} by Coll: Fletcher to M^{r} Brooks and M^{r} Nicoll in his letter of the 20th of Decemb^{r} 1696.

The Schackooke River Indians being sent for by His Excell^{cy} Coll: Benjamin Fletcher Capt^{n} General and Gov^{r} in chief of his Maj^{tys} province of New York ettc. only two Sachims with some of their young men appeared.

PRESENT—His Excellency the Governour
Maj^{r} Peter Schuyler, of His Maj^{tys} Council
Maj^{r} Derick Wessells Mayor of Albany
D^{r} Dellius Minister of the same.

His Excellency said: Children.

I send for you to let you know my sence of the good service you have lately done in cutting off those French and Indians our common Enemy, who came here to make what destruction they could upon the subjects of my Master the Great King of England ettc. those men fight not like Soldiers, and should be used as beasts of prey.

You have received the encouragement promised by my Proclamation, six pounds a head, and I do expect a continuance of your fervour in the prosecuting these common enemies, disturbers of our Peace, and you may expect all due incouragement for what service you shall do.

I am further to acquaint you that I shall want some scouts this winter to March up to the lake to make what discovery they can of the motion of the French.

I expect you should name able and active young men, such as can be confided in, and I shall see them paid and send some Christians with them.

Children. I hear you are much dispersed and scattered upon the River, in so much that I can not see a body of you, by this you become weak and a prey to your Enemies. I do therefore require you to settle together and that I may see you in a body as the Five nations, by which you will be stronger, and better able to secure yourselves and do service for the Country.

Some murders have been lately committed in New England by Indians, who they conclude to be of your nation; the Governor of that place has desired me to lay my commands on you that none of your people may hunt that way.

I do therefore advise you as my children that you give obedience to this my command, that none of you may move into those parts they have sett the price of 50 pounds a head for every strange Indian that's brought in, let this caution you.

I give you this kegg of Rum to comfort your hearts this cold weather, so I bid you Adieu.

The oldest of the Sachims called Suckwame answers:—

Father. Many of our Sachims are out now a hunting we are but few here we dayly expect them to return and thank our father for his advice, when our Brethren return we shall then give a full answer to what our Father has now said.

signed.

DIRK WESSELLS Mayor.

Information of two River Indians bout the French's design of invade Albany 16th of Decembr 1696. transmitted in Coll: Fletcher's letter to Mr Brook and Mr Nicolls of the 20th December last.

The examination of two of the River Indians called Nassayoungua and Wassackquasanto taken before His Excellcy Coll: Benjn Fletcher Captn General and Governour in chief of his Majties province of New York ettc: Major Peter Schuyler of His Majties Council and Major Dirick Wessells Mayor of Albany.—

Who gives this account that one of their Brethren named Olassan being with some of the Onongonges Indians at Canida and lately returned to their Castle which is within two days march of the said Onongonges.[1]

Says that the French Count declared that he resolved to march a considerable force against Albany this Winter and cutt off that place; I together with my comrade being out a hunting took into consideration to acquaint our brethren at Albany with the intelligence, that they may strengthen their Guards and be not surprized by the Enemy, and accordingly we are come and give the said account—

signed DIRK WESSELLS Mayor.

Governor Fletcher to Messrs. Brook and Nicolls.

[New-York Entries, A. 168.]

Letter from Coll: Fletcher to Mr Brook and Mr Nicolls dated Albany the 20th of Decr last d'd to the board by the said Mr Brook and Mr Nicolls.

Gentlemen.

I have given you an account of my voyage to this place, the threats of the Enemy and frights of the Inhabitants obliged me to make this my winter quarters.

Since I closed my former, some things occurred to my crazy and disturbed head which I think fit to mind you both of, tho' I do not question either your memories or diligence in the affairs committed to your care in which this poor province is so deeply concerned.

The revenue not above £3000 pr annum.

The revenue is small, uncertain and depending upon Trade, in which we have received great loss, I think at best its but three thousand pounds a year.

The charge of the war double that sum—

The salaries and incidentals of this war, sloop hire, transportation, presents to Indians with the necessary repair of our wooden Fortifications ettc does call for at least twice that sum yearly; so that unless means be found out for supply and assistance during this war, I can't see what will become of the Province.

If they be not assisted they can not subsist

I have not the Secretary or Clark of Council with me, neither my own books or memorials to help my memory, but I offer these things to you as proper to be urged for our relief.

1 Eastern Indians, or Abenakis. The Kennebec is called Onakonque, in *Albany Records*, VI., 402, in Secretary's Office.— ED.

His proposition for the regulation of the Quota in the several Colonies.

Connecticutt is a Colony full of men, if instead of the one hundred and twenty men which they are commanded by the Crown to send upon my application, which they are also obliged to pay and arm, that upon the weakning of His Majty's four companies by death or desertion, they be commanded to send one hundred men or such number as shall be wanting to compleat the said companies within the compass of the said one hundred which they may exchange or relieve yearly if they desire it.

Connecticut

Jerseys

The Jerseys is also convenient for assistance of men, and may very well spare forty to be quartered on the frontiers, and be annually relieved if they desire it.

Pensilvania

Pensilvania whose principles will not permitt them to contribute to the spilling of man's blood may be commanded instead of their Quota of men to pay four hundred pounds yearly.

Maryland.

Maryland instead of their proportion of men pay five hundred pounds yearly.

Virginia

Virginia instead of theirs to pay one thousand pounds yearly.

This is the least I can propose for the security of this province upon which depends the safety of all the rest, and is far short of those succors, which they were formerly obliged by the Royal commands to send us.

These summs of mony to be paid unto the Receiver Generall of His Majty's province of New York, and an exact account to be kept of the disposition of it by him and the deputy auditor that the several Governts may see if they desire it, that its applyed to such uses and no other as does contribute no less to their security than that of this province.

You both know what constructions have been made of former orders, how the sence and genuine meaning of them has been wrested by their interpretations to excuse them from paying any obedience to those Royal commands.

So that if any orders be obtained you will take care that they be positive and no loop holes left for them to creep out of.

New England harrass'd and can give no Assistance.

We can expect no assistance from New England, they are sufficiently harrassed, the Fort of Pemaquid lately taken from them.

Rhode Island obeys no command from the Crown.

Rhode Island pays no obedience to any command from the Crown.

The Assembly will not give money for the Soldiers but for a limited time—

Soldiers often disbanded before their money can be raised

The ill consequences thereof.

You well know our Assembly will not be prevailed upon to give money for the payment of men on the frontiers, otherwise then for a limited time, and such money comes in heavily, so that it does not answer the end. The men many times break up and disband before the money is received (from the Country) which occasions clamour, and the great mischief is, there is no reinforcement to supply the places of those who are discharged, this being done by act of Assembly (which is Publick) our Enemies know our weakness at such times, which renders us lyable to a surprise.

Remedy.

To prevent this inconvenience my whole endeavours are to keep up His Majty's companies by recruits from Connecticut ettc, which will be more for His Majtys service as being much easier and readier then to expect them out of England.

He desires stores.

I must again mind you to solicite for the stores of war according to a list formerly sent to the Plantation office, I have not a copy of it in this place; we have not flints in this Garrison nor York for one hours firing.

And two barrels of Musquet Flints.

I therefore earnestly desire two Barells of muskett Flints, and may be sent by the first ships.

He transmits the Examination of an Indian of Onongongo. He complains of Mr. Livingston's salary being too great.

Just now an Indian comes to me from Onongongo, I send his examination. Mr Livingston comes upon us with a Commission for one hundred and thirty pounds a year as Secretary or agent to the Indians, a place never known here, nor of any use; fifty pound a year as Collector ettc This amounts to a great sum especially when we groan under so great a burthen, and the revenue is not less then two whole years in debt, and the inhabitants of the Province much impoverish'd by the pressures of this war.

His acct of Mr. Livingston.

This man by false insinuations to the Lords of his sufferings, has prevailed upon their Lordps for these salaries when you, the Council, and all men know, he has made a considerable fortune by his employments in the Government, never disbursing six pence, but with the expectation of twelve pence, his beginning being a little Book keeper, he has screwed himself into one of the most considerable estates in the province, you have the opinion of the Council upon this head, in which I do concurr and hope you'll endevour to keep a man of such vile principles from sucking any more the blood of the Province, for he has been a very spunge to it.

I know I shall be hard push'd at upon his score, but if I suffer 'tis in a righteous cause, for he is known by all men here, to have neither Religion nor morality, his whole thirst being at any rate and by any ways to inrich himself and has said as I am credibly informed by many persons, he had rather be called knave Livingston, then poor Livingston.

I protest to you my whole intent in the urging this matter is His Majties service and the good of the Province, his salaries which amounts to one hundred and four score pounds a year this money is more then either the Judges or any other officer appointed by the Commission for this Governt is allowed. I do not see how he can be paid at least while the war lasts, nor of what use those officers are — I am

Gentlemen

Your Affectionate friend & servant

Albany 20th Decr 1696. Ben: Fletcher.

Governor Fletcher to Messrs. Brook and Nicolls.

[New-York Entries, A. 179.]

Letter from Coll: Fletcher to Mr Brooks and Mr Nicolls agents for New York delivered by them to the Board.

Gentlemen.

My disordered head for my late loss has occasioned a wrong calculation but my desire is that these Colonies may give such assistance that I may be enabled to keep a constant body of five hundred men here including His Majty's three companies three hundred of the number, by which I may Garrison Cenestigaona and the half moon, which will be a cover to all our out farms, and prevent the inroads of sculking parties; be a security to Connecticutt and our little towns down the River — I am

Gentlemen

Your affectionate friend & servant

Albany Decr the 21. 1696. Benj: Fletcher.

Memorial of Mr. Livingston to the Board of Trade.

[New-York, (B. T.) VI., 807.]

28th Decr 1696

To the Right Honble the Lords of the Committee of Trade and Plantations.

The case of Robert Livingston most humbly represented to there Lordships consideration.

May it please Your Lordships.

After the exhibicôn of my peticôn to His Excell. and Councill ye 10th of Septemb. 1696. I did attend a Committee of ye Councill, when I produced to them the vouchers mentioned in the said peticôn, to which there was no opposition but unto ye assignmts of Lieft Sharpe, Yetts, and others, which they alleadged I had bought, and for which they had already issued warrants. I acquainted them that I had those assignments for satisfaction for money I lent them to subsist themselves and family in ye time of ye Revolution here, when they were out of service and could not procure bread of any other person, and they were so senceible of my kindenesse to them, yt for my reimbursement they made me ye same assignment; which I pressed might be allow'd me; however could have no answer but what is so genll which I have annexed to a copy of ye peticôn now sent; but what was objected I have hereunder answer'd.

Objectn That I cannot have a preference for ye money due by ye Additionall duty, because it is by a new act, so appropriated yt it cannot be changed.

Answr — The first Act was so appropriated yt ye uses could not be changed without a perversion of ye law; and if that had been duly executed, there had been no complaint now, for ye law assign'd eight quarterly payments, so there could be stop'd a quarterly payment at a time for ye supply of those extraordinary necessities alleadged; but it seems there was never a quarterly payment due; but there always happen'd such an extraordinary necessity, that ye money could never be employed to ye right use, which is very rare to happen in any governmt without design that such extraordinary necessities should happen eight severall times so successively to defeat ye uses of a law made for ye payment of a warrant from ye Right Honble ye Lords of ye Treasury of England.

Objections against His Majtys Commission.

That there never was any such office of Secretary or Agent to the Indians, and therefore no sallary allowed, but executed by the Town Clerk, ex officio.

Answr It is true that as I was Town Clerk I did officiate in the station as Secretary to ye Indians and have ever been so called by ye Indians since ye year 1675. as all ye town of Albany can witnesse but the drawing interpreting and translateing of ye Indian Propositions, as I did, from Dutch into English, was never done by any Town Clerk before; moreover it has been since ye warr, forty times more troublesome then in former times, as the returns to ye Plantation Office can wittnesse, and is ye reason of my addresse unto his Majty for a sallary for ye same, and if considered by my noble Lords, ye refusall of his Majes Commission will only proceed from mallice, for ye duty is at all times & seasons. When ye Indians come with any intelligence or propositions, it is first taken from ye Interpreter & putt into Dutch, and from ye

Dutch translated into English, and after y^t^ corrected, then writt fair & sent to his Excell: and and then registered in a book by itself, and other copies made as His Excell: shall direct; and this done perhaps forty or fifty times in a year, besides y^e^ solemn negotiations with them and his Excell. commonly once or twice a year; so all mankinde may judge whether any person can doe that for nothing; besides the attendance and writing, I have been accustomed to runn up and downe, and buy y^e^ Indian presents, to keep account of them and putt them in order, w^ch^ hath often hindred me from other businesse of great moment. Nor doe they consider at y^e^ time of Coll: Fletchers arriveall, when y^e^ Province was in greater distresse than now, being considerably in debt, and not haveing such assistance from our neighbouring Collonyes as since his arriveall, that he erected a new Office of Accomptant Generall, and gave to one of his domesticks with y^e^ sallary of fifty pounds p^r^ ann^m^ and established another sallary of £50 p^r^ Ann^m^ on y^e^ Clerke of y^e^ Councill and £100 p^r^ Annum on the Atturney Generall, which never were before, but being of his owne establishment, y^e^ necessities of y^e^ Province could be easily step'd over; but now because of His Mat^ies^ Establishment, y^e^ necessities of y^e^ Province (which are not half so great, provision being made to pay y^e^ debts of y^e^ government) must be a barr to His Maj^es^ Commission, tho' a worse necessity must be dispensed with to gratify Collonell Fletchers Commission.

It is objected I am a Scotchman, and so by a new Act of Parlament cannot officiate in y^e^ Treasury.

*Answ^r^* It is true I am of Scotland by birth, but born after King James the First came to the Crown of Engl^d^ and as all others of y^t^ nation liveing and purchaseing lands in England an the Plantations have always been esteemed upon all tryalls where that has been controverted, as native English, now after my liveing in y^e^ Province of N. Yorke 22 years with a Commission in the Government and owner of a great many tracts of land and buildings of a considerable value; if after all this I must become an Alien, what must those be that are in the Councill and all other places of trust throwout the government, that are of French and Dutch birth and have not that naturalization I have, they at y^e^ same time being by y^e^ act of Parlament as uncapable to be concerned in y^e^ Courts and Treasury as I am, and if y^e^ interpretation of y^e^ law be such y^t^ none can officiate in those stations but such as are native English, according to the liberall construction, then there must be a new Collony of English natives transplanted here to officiate in these Stations.

It is further objected that I have gott all my estate by y^e^ Government.

*Answ^r^* What estate it hath pleased God to blesse me with I have gain'd with great industry and pains, as most of y^e^ Province can witnesse; but if it be by the government, it is by lending and advancing it for y^e^ service of the governm^t^ without so much as bare interest, and if this be the thanks for my former services, I am very unhappy; When I victualled in Coll: Dongan's time, I was 23 or 2400£ advance; when in Coll: Sloughter and Coll. Ingoldesby's time a 1000£ in advance, and on Colonell Fletchers arriveall when I begann by y^e^ delayes I mett with in y^e^ payment, to be weary of continuing in y^t^ station, inquiry was made for others to undertake y^t^ service, but could fynde none; then Coll. Fletcher imployed M^r^ Brooke now in England and others, to treat with me to accept again: then it seems I was not in their esteem so despicable a person y^t^ could advance for y^e^ subsiting of 300 men besides y^e^ souldiers in garrison, at least 14 or 1500£ and be out of my money a year before it was repaid; and when I left it off, y^e^ government could not fynde others to serve them on so easy terms, but was forced to advance money to y^e^ Victuallers, and does to this day.

It is also objected that I never received y^e^ Quitt Rents nor had authority for y^e^ receiving y^e^ same.

*Answ^r^* By severall patents in y^e^ County of Albany, y^e^ Quitrents are made payable at y^e^ Citty of Albany; of all such I have rec^d^ orders of M^r^ Brooke, His Maj^es^ Receiver Gen^l^ to receive them, and have transmitted them to him at N. Yorke, as appeareth p^r^ M^r^ Brooke's receit from y^e^ year 1692. to Novemb^r^ 1694; but if y^t^ be an offence also, to look after y^e^ Quitt Rents, receive y^m^ and transmitt them to y^e^ Receiver Gen^ll^ without any reward, I am verry willing to be excused from it; but I am sure if y^e^ like care had been taken throwout y^e^ rest of y^e^ Province, y^e^ Treasury here would not now be so empty.

ROBT LIVINGSTON.

Memorial of Messrs. Brook and Nicolls to the Lords of Trade.

[New-York Entries, A. 66.]

To the Right Hon^ble^ His Maj^ties^ Commiss^rs^ for Trade and Plantations—

The agents for New York humbly represent, that having been sent from New York by the Governor, Council and Assembly, to lay before His Maj^ty^ the State of the Countrey, and humbly to pray that some further Assistance may be given that Province against the French, they have pursuant to their instructions and Your Lord^ps^ directions proposed several matters as necessary for that purpose, whereupon divers orders upon Your Lord^ps^ representation to His Maj^ty^ have been given for the strengthning that Government against the French.

But in as much as no diretions have been as yet given upon the following heads which the said Agents have [humbly] laid before Your Lord^ps^ viz^t^

They desire presents may be sent yearly to the Five nations of Indians.

First: That cloths and other necessaries for the Indians may be yearly sent over as presents, to encourage the Five nations against the French.

The Garrisons at Albany etc to be made up 1000 men or 500 at the least

2^d^ That the Garrison at Albany with the adjacent posts of Schanectade, Canestigione, the half moon, the Mill and the Flatts may be made up a thousand men or five hundred at the least.

Stone Forts to be built at Albany etc at the King's charge.

3^ly^. That a regular Stone Fort may be built at Albany at the King's charge and other fortifications at Schenectade, Canestigaone the half Moon the Mill and the Flatts.

A settlement near the Lakes.

4^ly^ That a strong Fort and a good settlement may be made in some convenient place near the Lakes.

Recruits of men and Stores—

5. That Directions may be given for a yearly Recruit of men and Stores during the Warr.

Some English boys to reside amongst the Indians.

6^ly^ That some hardy Youths of good naturall parts and well understanding Grammar may be sent over to reside among the Indians and learn their language.

English Clergy to reside amongst the Indians.

7^th^ That som English Clergy may be encouraged to dwell for some time amongst those people to endeavour their conversion to the Protestant Religion.

The pay of the forces made sterling —

8th That the pay of the King's Soldiers may be encreased to sterling money.

The said Agents humbly pray that some orders may be given upon these heads.

CHID: BROOKE
WM NICOLL

7th Janr 1696.

The Lords of Trade to Governor Fletcher.

[New-York Entries, A. 68.]

To the Honble Benjamin Fletcher Esquire Capt General and Governor in chief in and over His Majtys Province of New York and the Territorys depending thereon in America or to the Commander in Chief for the time being.

We herewithall transmitt to you a Duplicate of our former letter which was dated the 25th Septr last and have since then received your severall letters of the 13th of July, 22d of August, 17 & 18th of Septr to Mr Blathwayt, as also two of the 22th of August and one of the 17th of Septr to the Lords of the late Committee, the contents of all which have been duly considered. And the matters that have appeared to us of any importance to the Province of New Yorke, whether mentioned in any of those letters or suggested to us by Memorials from Mr Brook and Mr Nicolls Agents for that province here have been laid before His Majty.

Enlisting of Men to fitt up the four companies —

And we are thereupon now to inform you that His Majty does approve of the method you have taken for keeping up the four companies in that Province by increasing the pay of the Soldiers four pence a day, and the allowing of three pound pr head upon the inlisting of new ones for which you say the Assembly of that Province have provided a fund until May next. And His Majty has thereupon directed us to require You to use your best endevours for the continuance of the same methods until recruits can be sent from hence, or till His Majty shall otherwise declare his pleasure thereupon.

Deserters and Fugitives.

To remedy the desertions that you complain of as occasioned by the reception given to deserters and fugitives in the neighbouring Provinces His Majty has been pleased to order us, to write to his several Governors in all his Colonies and provinces in America, that they take care in each of their respective Governts that effectual laws be made against receiving and harbouring not only of deserters but also of such fugitives as leave any of his Plantations contrary to the laws provided for that purpose in each Plantation respectively, which order we have already communicated to some, and are continuing to do it to others as opportunity offers — And you are therefore likewise in the same manner required to observe it.

Pirats.—

And whereas further complaints have been made to His Majty from other Colonies and especially from Jamaica, that the great temptation to Piracy by the entertainment given to Pirats in several places has been another means of seducing their inhabitants from them. And His Majty being highly sencible how much such practices tend to the dishonour of the English name and nation, has thereupon ordered us stricktly to require the respective Governors of all His Plantations to take due care for the future that no Pirates or sea Robbers be anywhere sheltered or entertained under the severest penalties. Wee are obliged in giving

you this notice to recommend it so much the more particularly to your care, by reason that in the Informations lately given upon occasion of the Tryall of several of Every's crew, your Govern[t] is named as a place of protection for such like villains, and your favour in particular to Capt[n] Tue given as an instance of it.

Caleb Heathcoate to be of the Council. Upon Your desire that M[r] Caleb Heathcot be confirmed one of the Council in that Province His Maj[ty] has accordingly been pleased to order it. But we are thereupon to informe you that nobody appearing in M[r] Heathcot's behalf to take out the Warrant, it has lain for some while and lies yet without effect. The reason of this has been told to us to be, because he is about removing from thence; but however we desire you upon upon this occasion to take care for the future, that whoever you recommend upon the like occasion may appoint somebody here to look after the dispatch of what is desired for them—

Engineer Upon your desire for four hundred light Fuzees to be disposed of amongst the Indians and a more particular memorial about an Engenier Stores ettc, by the forementioned agents of New York, His Maj[ty] has been pleased to order that an Engenier be accordingly sent thither together with the forementioned Fuzees and a supply of stores according to the following list:

Viz[t]—	Cannon Powder	60 Barrels
	Fine Powder	40. Barrels
	Match	100 weight
	Showells and Spades	8 dozen.
	Hand basketts	100.
	Stock locks large	4. dozen
	Spring locks d°	4. dozen.
	a Bell for the use of the Fort: 30 inch: diameter	
	Muskett locks for spare Barrells	50.
	Hooks and Fringes larg and small	8 dozen.
	Starch for making up Cartriges	50. pounds.
	White lead. Red d° with others Colours	100 weight
	Falcon Shott	200 d°
	White marlin	50 pounds
	Cartridge boxes for demy Cannon	2 dozen
	Lanthorns ordinary	1. d°
	Lamb black	12. barrels

Two hundred shells for Mortars and six Union Flags which we doubt not but the agents will accordingly take care to see shipt—

Accounts of stores required. But upon this subject of Stores as wee thus inform you of His Maj[ty's] care for your supply, so we are also to direct you to send us frequent and particular accounts of the consumption and remains of the Stores that are sent to you which may be a guide in any deliberation here about the further quantities, that may from time to time be needfull, which we shall expect to see punctually observed.—

Richmond Frigat. We heaving also laid before His Maj[ty] what you write about the great charge and little use of the Richmond Frigat, for the defence of that and the neighbouring provinces, His Maj[ty] has thereupon been pleased to order that the said Frigat be recalled, and that another light and quick sailer be sent in her place, which to continue there during all the summer,

Regulation of convoys

cruising under your direction for the service and guard of that and the neighbouring Provinces, and towards the beginning of Winter to saile as a convoy with any ships bound from those provinces to Barbados, the Leeward Islands or Jamaica, and there to stay for the defence of any of those Islands, and the Trade thereof till the Merchant Ships shall return from thence to England in the spring, when she also is to return with them as an additional strength to their convoy, and in order to supply her place in New York that another man of war of like force be annually sent from hence thither, to be there against the end of each winter, and to be imployed in like manner in the above mentioned services. This is the method that has appeared to us most usefull and most practicable, for the service of all those Colonies, but if there be anything in it unsuitable thereunto, and particularly to the season of your ships carrying provisions to the Southern Plantations, we desire you to inform us thereof that a Reformation may be made therein accordingly —

Complaints agst the Captn of the Richmd Frigat.

Several other complaints having also been made to us, that the Captn of the Richmd Frigat had kept a Brewhouse and Bakehouse for the service not only of his own ship, but of Merchant men, and that he did not keep up the complement of his seamen compleat. We are thereupon to desire you to have an eye upon the conduct of the companies of His Majtys ships in that province, in order to the prevention of all such irregularities for the future.

Commandrs of His Majtys ships to be under the direction of Governors

And to enable you the better to do this and Generally to inspect His Majtys Naval Service in that Province, we shall next acquaint you that it is His Majties pleasure which he has accordingly directed to be observed that all the Commanders of His ships of war that are sent to any of his Plantations for the defence and service thereof, be under the direction of the Governours of each of those respective Plantations, during their continuance there. And further that when any Captn or Commander

Press of Seamen

of any His ships in any of His said plantations shall have occasion for seamen to serve on board the ships under their Command, they do make their application to the Governors or Commanders in chief of His Majtys Plantations respectively to whom as vice Admiralls, His

Vice Admls power

Majty is pleased to committ the sole power of impressing seamen in any of His Plantations in America or in sight of any of them, such Governors or Commanders in chief being at the same time required upon such application to take care that His Majtys said ships of war be furnished with the number of seamen that may be necessary for His Majtys service on board the said ships from time to time.

Expedition of the French against the Indians.

Your diligence in repairing to Albany upon advice of Monsr Frontenac's late expedition, his speedy retreat upon your approach and the care you were taking thereupon for the relief of your neighbour Indians and for confirming them in our friendships are all things that we observe with satisfaction. And whereas you thereupon renew your complaints of the backwardness of several of your neighbour Colonies in supplying their

Quota

Quota appointed by Her late Majty for the defence of those frontiers we have writt to some and as occasion offers shall write to every one of these, the most effectually we are able, that they be more observant of a regulation so absolutely necessary to their common safety.

Conduct towards Indians

Upon the information that has been given us of the great advantage that the French draw from the Methods they practice of insinuating into the friendship and familiarity of the Indians, and especially by their sending some of them over into France, from time to time in order to strike their mindes, with an idea of the French strength, we can

not but mind you as much as in you lies, to do the same thing by endevouring if possible to accustome some of your neighbour Indians to our manners and sending some hardy youths amongst them, to be inured to their fatigues and learn their language, and especially by all the engaging arts you conceive most proper to persuade some of them to consent to be transported hither, with assurance of their being well used in their passage both, forwards and backwards and very kindly entertained, whilst here, that they may be thereby filled with an advantagious opinion of His Majᵗʸˢ greatness and power.

Publick Papers recd

Besides your letters that we have mentioned in the beginning of this we have received also the publick papers therein specified, amongst which are several

Associations defective.

Associations, but all of them (except one signed by a few civil Officers in Albany County) defective in a very essential expression, which is not well; however since then the agents of that province having shewn us another in due form signed by yourself and the military Officers, we shall say no more of the first ommission. Amongst these papers we

Laws

find also upon examination a copy of those laws under the seal of your province, of which we mentioned in our last letter another copy without a seale, and they with many of longer date, that we received from the late Committee are now all under consideration,

Three Lieutenants.

together also with the complaints of the three Lieutᵗˢ and the case of Mʳ Levingston, upon all or any of which when any determination is made you shall be informed of it.

signed

T Bridgewater
Wᵐ Blathwayt
Tankerville
John Pollexfen
Phil: Meadows.
Aʙʳ Hill.

Whitehall 1° Febrʸ 169⅚.

Order in Council about the two Mohawk Indians brought to London.

[New-York Entries, A. 88.]

At the Court at Kensington the 25ᵗʰ of Febrʸ 1696.

Present— The Kings most Excell Majᵗʸ in Council

His Majesty being informed that two of the four Indians (of the Five nations dependances of New York and under His Majᵗʸˢ protection) that were made prisoners at the surrender of York Fort in Hudsons Bay to Captⁿ Allen, are brought up to this town, was thereupon pleased this day to order in Council, that the said Indians be put into the care of Mʳ William Nicoll and Mʳ Chidleigh Brooke agents of the Colony of New Yorke who are not to permitt Monsʳ De la Forest late Govʳ of the said Fort or any other person to speak with them without leave from Mʳ Secretary Trumbull, and the said agents are to see that the Indians together with their interpreter be well accommodated and treated during their stay here, and when they return to that Colony to take them into their company, and to see them provided with all

necessarys for their passage, and it is further ordered by His Majᵗʸ, that the Commissioners for sick and wounded Men and prisoners of war, do forthwith furnish the said Agents with such allowances, as the Council of trade shall judge fitt to direct for the services aforesaid; which sum or sums are to be allowed the said Commissioners upon their accompt.

JOHN NICHOLAS.

Report of the Board of Trade on the Union of New-York with other Colonies.

[New-England B. T. Entries, A. 134.]

To the KING'S MOST EXCELLENT MAJESTY

May it please your Majesty

In obedience to your Majesty's Order in Council dated the 10th of December last, we having taken into consideration the Representation of your Majesty's Lieutenant Governor, Councill and Assembly of the Massachusetts Bay in New England thereunto annexed, humbly praying that your Majesty's severall governments within those territories may be jointly concerned in the prosecution of the war and supporting the charge thereof; and having at the same time received severall memorialls from the Agents of that Province here, and from other persons concerned both in that and the neighbouring colonies relating to an Union proposed to be made amongst them for common defence; We humbly beg leave to lay before Your Majesty the state of what has been offered to us upon that subject.

The importance and advantages of an Union for mutual defence and common security are by all sides agreed on; but the objections against the methods proposed for putting it in execution are various, according to the different interests of those by whom they are made.

The proposition chiefly insisted on in the forementioned Memorials is that the person whom Your Majesty shall be pleased to send Governour of the Massachusetts Colony may also be the Civil Governour of New York and New Hampshire and Generall of all the Forces of the Massachusetts New York and New Hampshire Connecticutt, Rhode Island and the Jerseys.

Connecticut Agent against the Union.

But to this the agent of Connecticut here (in the name of the Governour and Company of that Colony) has objected, that the imposing even a Military Governor over them, with power to demand men ammunition and provisions, and to lead and carry their men at the pleasure of the said General, out of the said Colony, without consent and advice of the said Governour and Company, will be hard on the inhabitants, and (as they conceive) contrary to their charter.

Proprietor of New Hampshire against ye Union.

The proprietor of New Hampshire (who by your Majesties appointment is the present Governour thereof) has also objected to us his reasons against the subjecting of that Province to the Government of the Massachusetts; as tending to increase a charge upon the inhabitants there, without any addition to their security, and without any appearance (as he argues) of assurance to Your Majesty that the government of the said Province will be better administered by strangers than by the said Proprietor and the inhabitants themselves.

New York Agents against ye Union.

The Agents of New York have more particularly than others opposed the Union of that Province and the Massachusetts under one Civill Governor by

these following considerations:—The nearest limits of those Provinces (say they) are two hundred miles distant from one another, Connecticut and Rhode Island lye betwen them, New York being the less both in bounds and strength & being most exposed to the enemy, is incapable of giving any assistance to the Massachusets in time of danger, the towns of New York & Boston having been always rivalls in trade, this Union would (in that respect) be very prejudiciall to the former. The residence of the Governour of New Yorke at Boston would oblige the inhabitants of New Yorke to repaire thither, upon many occasions relating to the Civill Administration, and be very grievous and burdensome to them. The Sallary of the Governer of New York being paid out of certain funds raised by the General Assembly of that Province for a limited time, and expended by him amongst them, it would seem a hardship to them if that money should be issued out of the Province for the support of the Governour residing at Boston.

The Massachusetts Agents answer to the foregoing objections.

To which the forementioned Agents of the Massachusets have answered:—that the distance between the territories of New Yorke and the Massachusetts is much lesse than the Agents of New York have represented it, and that the inconveniencies by them said to be consequential of the residence of a Governor at Boston, may be avoided by his removall sometimes (as occasion shall require) to New Yorke, and at other times by having constantly a Deputy there. But what they finally pray is, that the advantage of a Military Head or Captain Generall being agreed to, Your Majesty would therefore be pleased to appoint one accordingly, and the support of such a Captain Generall requiring necessarily a much greater expence than any other particular Governour, they submitt their proposition of uniting the Governments of the Massachusetts, New York and New Hampshire (in order to the better defraying of that charge) unto Your Majesty's Royall pleasure.

Opinion.

This being the state of that matter as it hath been sett forth to us the forementioned Memorials; and we having also humbly laid before their Excellencies the late Lords Justices (by our Representation dated the 30th of September last[1]) our opinion that it is hardly possible Your Majesty's Colonies on the Northerne Continent of America, can be preserved, unlesse Your Majesty shall be pleased to constitute during this war, some active vigilant and able man to be Captain Generall of all Your Majesty's forces and of all the Militias of those Colonies; which opinion we then grounded upon a report of your Majesty's Attorney and Solicitor Generall dated the 2d of April 1694 declaring it Your Majesty's right to constitute a Chief Commander with such authority, especially during the war; and further also we having more particularly proposed to Your Majesty (by our Representation dated the 25th November last) that the Governour whom your Majesty shall please to constitute over the Province of the Massachusetts Bay may likewise have the superior command throughout all New England for the security and defence thereof during the war: We now humbly crave leave to add that the distinct Proprieties, Charters, and different forms of Government in severall of those neighbouring Colonies, make all other Union, except under such a Military Head (in our opinion) at present impracticable, and that what hath yet been done towards such a Military Union for Common defence (by the appointment of a Quota in the year 1694) hath been so little complied with, that it requires the exertion of a more vigorous power than hath hitherto been practised, to make it produce the desired effect.

But upon the whole, it being evident that notwithstanding the different constitutions of the

[1] See ante, p. 227.—Ed.

Governments of the Massachusetts, New Hampshire and New York, yet Your Majesty hath the right of appointing Governours in all those places, and also (according to the forementioned opinion of Your Majesty's Attorney and Sollicitor Generall) the right of constituting a Military Head both over them and all other Your Majesty's Provinces, Colonies and Plantations in America during the time of war: We are humbly of opinion that Your Majesty be graciously pleased to constitute a fit person to be Governor over the Provinces of New York, Massachusetts Bay and New Hampshire, and that the same person be also Captaine Generall of all Your Majesty's forces both there and in Connecticut, Rhode Island and the Jerseys, and that the cheif residence of such Governor or Captaine Generall during the war be appointed to be at New York, that the Province being most in danger to be attacked by the enemy, and the inhabitants not one fourth part of the number that are in Massachusetts, and also, because the sallary of £600. now paid to that Governor arises (or has been alledged) out of subsidies granted by the Assembly there. But neverthelesse that the said Governor or Captaine Generall may have liberty to remove from thence to Boston and back againe from time to time, leaving Lieutenants in either place respectively as occasion shall require

And in the last place we are also humbly of opinion that the Generall Assemblies of all those neighbouring Colonies by the prudent conduct of such a Captaine Generall may be made to understand their own true interest and thereby induced to enact such laws in their respective governments as shall be necessary to enable the said Captaine Generall to execute Your Majesty's Commissions, so as shall be most for your Majesty's service, their own defence and generall advantage

All which neverthelesse is most humbly submitted

signed J. Bridgewater
Tankerville
Ph. Meadows
Jn° Pollexfen
Abr. Hill.

Whitehall
February the 25
169$\frac{4}{7}$.

Duke of Shrewsbury to the Lords of Trade.

[New-England Entries, B. T. A.143.]

My Lords

The King has been pleased to appoint the Earl of Bellomont to be Governor of the Provinces of New Yorke, Massachusets Bay and New Hampshire and to be Captaine Generall during the War, of all His Majesty's forces both there and in Connecticutt, Rhode Island and the Jerseys; which I signifie to your Lordships by His Majesty's directions that you may give orders to have his severall commissions and instructions prepared accordingly.

I am, My Lords
Your Lordships most humble Servt
Shrewsbury.

Whitehall
16 March 169$\frac{4}{5}$.

To the Lords of the Council
of Trade and Plantations.

The Lords of Trade to the King.

[New England Entries, B. T. A.152.]

To the Kings Most Excellent Majesty.

May it please Your Majesty.

In obedience to Your Majesty's commands signified to us by His Grace the Duke of Shrewsbury we have prepared draughts of the severall commissions for the Earl of Bellomont for the Government of Your Majesty's Province of New York the Massachusets Bay and New Hampshire, wherein are also included a Commission for the command of the Militia and of all Your Majesty's Forces in Connecticut, Rhode Island and the Jerseys, during the War; which draughts we herewithall most humbly lay before Your Majesty for your Majesty's royall pleasure therein.

(Signed) J. Bridgewater
Ph. Meadows
Wm Blathwayt
John Pollexfen
Abr: Hill.

Whitehall
Aprill 8th 1697

The Lords of Trade to the King.

[New England Entries, B. T. A.154.]

To the King's Most Excellent Majesty

May it please Your Majesty.

Having in obedience to Your Majesty's commands, humbly laid before Your Majesty draughts of the severall commissions for the Earl of Bellomont for the Government of Your Majesty's Provinces of New York, the Massachusets Bay, and New Hampshire; we humbly beg leave to lay before Your Majesty the draughts of the severall instructions, which we have likewise prepared for the said Earl relating to the foresaid governments; and further to represent to Your Majesty that in the draughts of these instructions for New York and the Massachusets Bay having left the respective sallaries for the Governour and Lieut Governor of those Provinces, in blank, to be filled up as Your Majesty shall please to direct, we have hereunto annexed the state of what we finde has been allowed unto other Governours and Lieutenant Governors and more particularly to Sr Edmond Andros whilst he was Governour and Commander in Chief over the same Provinces

All which we most humbly submit to
Your Majesty's great wisdome

(signed) J. Bridgewater
Ph: Meadows
Wm Blathwayt
Jn° Pollexfen
Abr: Hill.

Whitehall
Aprill 15. 1697

State of the Sallaries of His Majesty's Governours & Lieutenant Governours in the Provinces of New England and New Yorke.

In the yeare 1686 S^{r} Edmund Andros being then constituted Governour of all New England (in which New Hampshire is included) but not of New York, had £1200 sterling appointed him for his sallary for one yeare, payable here, untill the revenue there should be setled.

In the yeare 1687 the Charter of New England having been surrendred to the Crowne and the settled Revenue there being continued by order from England, S^{r} Edmund Andros was paid the foresaid sallary of £1200 sterling, there, out of that revenue.

In the yeare 1688 the government of New Yorke being united to that of New England and the said S^{r} Edmund Andros being constituted Governour of both those Provinces, there was added to his sallary £200 sterling more, out of the £600 allowed out of the revenue of New Yorke for the support of their Governours; and the remaining £400 of the New York allowance was appointed to be paid to the Lieutenant Governour.

After that, upon His Majestys accession to the Crowne, (the two governments being divided) the Governours of New York have had their former sallary of £600 sterling p^{r} Annum, allotted them out of the revenue of that Province. The Revenue of the Massachusets Bay (by the New Charter given them by His Majesty) is disposable by the Assembly there; and the revenue of New Hampshire is inconsiderable.

It is to be further observed that whilst the government of New England and New York were united under the same constitution, by the surrender of the severall Charters of New England there was only occasion for one Lieutenant Governour of the whole; but the governments of the Massachusetts Bay, New Hampshire and New York continuing now separate and divided in their constitution (tho' under the same Governour) it will be requisite that there be three distinct Lieutenant Governours; so that a salary will be likewise wanting for the Lieutenant Governours of the Massachusetts Bay, and New Hampshire, which is humbly conceived ought to be paid by the respective Colonies; those Lieutenant Governours never having been of any charge to the Crowne.

Report of the Lords of Trade against the Act declaratory of the Rights, &c., of the People of New-York.

[New-York Entries, A. 125-129.]

Fourthly and lastly, one Entituled, *an Act declaring what are the rights and Priviledges of their Majesties subjects inhabiting within their Province of New York*[1] which doth in our humble opinion give unto the representatives of that province, too great and unreasonable priviledges during the sitting of the Assembly; and to all inhabitants (except Inholders) such an exemption from the quartering of soldiers as we conceive may be inconvenient to His Maj^{tys} service there, and

[1] Passed, 13th May, 1691.—Ed.

contains also several large and doubtful expressions. For which reasons we are humbly of opinion that the said act be repealed, and that instead thereof (for satisfying the mindes of the inhabitants of that province) the effect of a Charter granted by His late Majesty King Charles the Second to the Colony of Virginia, according to the annexed copy, may be proposed to the General Assembly there, to be by them enacted and then transmitted hither for His Majᵗʸ's Royal approbation.

All which is nevertheless most humbly submitted

T. Bridgewater, John Pollexfen, Tankerville,
Abr: Hill, Phil. Meadows.

Whitehall: 11ᵗʰ May, 1697.

Heads of a Charter granted by King Chas the 2nd to Virginia anexed to the foregoing Representations.

Heads of Charter granted by His late Majesty King Charles the Second to the Colony of Virginia which are proposed to be enacted (mutatis mutandis) in the Province of New York.

That all the Inhabitants of the Province of New York in America shall have their immediate dependance upon the Crown of England under the rule and Governᵗ of such Governor or Governours as His Majᵗʸ his heirs or successors shall from time to time appoint in that behalf, and upon no other person or persons whatsoever—And further that the Governor for the time being shall be resident in that Country except His Majᵗʸ his heirs or successors shall at any time command his attendance in England or elsewhere, in which case a Lieutᵗ Govʳ shall be appointed by His Majᵗʸ his heirs or successors, to continue there during the absence of such Governour.

That all lands now posest by the several and respective Planters or Inhabitants of the said province of New York are and shall be confirmed and established to them and their heirs for ever; where the property of any particular man's interest in any lands there shall not be altered or prejudiced by reasons thereof.

That all lands possest by any subject inhabiting in the said province of New York which is escheated or shall escheat unto His Majesty his heirs or successors shall and may be enjoyed by such inhabitant or Posessor, his heirs or Assignes for ever paying composition for every acre.

That the Governor and Council of the said Province of New York for the time being, and in the absence of the Governor the Lieutᵗ Govʳ and Council or any five or more of them whereof the Governor or Lieutᵗ Governor (if there) to be always one and in case of absence or death of such Governor or Lieutⁿᵗ Govʳ the Council of the said province for the time being, the first in nomination, in which Council is in that case to preside, shall and hereby have full power and authority to hear and determine all Treasons, Murders, Felonies and other offences committed or done within the said Governᵗ so as they proceed therein as near as may be to the Laws and statutes of His Majᵗʸˢ Kingdome of England.

And lastly, for the more entire satisfaction and security of the subjects of His Majᵗʸ his heirs and successors which now do or hereafter shall inhabit in the said Province of New York, and to give the more liberal and ample encouragement to Plantations there, that all and every clause, article, and sentence herein contained shall be from time to time for ever hereafter as often as any ambiguity doubt or question shall or may happen to arise thereupon, expounded, construed, deem'd and taken to be by his Majᵗʸ meant and intended, and shall enure and take effect in the most beneficial and available sence to all intents and purposes for the profit and

advantage of the subjects of His Majᵗʸ his heirs and successors of the said province of New York aforesaid, as well against His Majᵗʸ his heirs and successors as against all and every other person or persons whatsoever any Law, Statute, Custome or usage to the contrary thereof in any wise notwithstanding.

11ᵗʰ May 1697.

Memorial of the Earl of Bellomont to, and Answer of, the Lords of Trade.

[New-York Entries, A. 146–149.]

To the Right Honᵇˡᵉ the Lords Commissioners of the Council of Trade and Plantations

The memorial of Richard Earl of Bellomont.

The said Earl thinking it his duty to lay before Your Lordships the necessity of sending two hundred recruits to compleat the four companies that are in His Majᵗʸ's pay in the Province of New York which is the only standing force, his Majᵗʸ has on the Continent of America to which end, and for avoiding the inconvenience of parting with such a number of Men out of His Majᵗʸ's army here, the said Earl humbly proposes that he may have leave to raise two hundred men here in England for the above said service and whereas the raising and marching those recruits to the Port where they are to be shipt will necessaryly occasion an immediate expence, the said Earl craves leave to inform Your Lordships, that there is a considerable sum of money, now ready to be paid out of the Paymaster General's Office for the subsistence of His Majᵗʸˢ forces in New York, which by all accounts from that Province are reduced to less than half the number of the establishment, and whether part of that money may not be applyed to that service, the said Earl submits to Your Lordships consideration.

The said Earl being informed that a quantity of Fire arms was lately sent over to the present Govʳ of New York to distribute by way of present to the Five nations of the Indians in amity with us, for which reason the said Earl is advised that if the present now intended, were made up partly of arms and partly of Powder and bullets, it would be more acceptable to the said Indians. Therefore the said Earl humbly proposes that Your Lordᵖˢ will please to represent to their Excellencies the Lords Justices in Council, that the Rᵗ Honᵇˡᵉ the Earl of Romney master General of His Majᵗⁱᵉˢ ordnance be impowered to use his discretion in proportioning the said present to the intended value of two hundred pounds.

All which is humbly submitted to your Lordships —

10 June 1697.

To the Right Honorable the Earl of Bellomont.

My Lord.

Letter to the Earl of Bellomont upon his foregoing Memorial.

The Lords Commissioners of the Council of Trade upon the perusal of Your Lordᵖˢ memorial which I laid before them this morning have commanded me to acquaint Your Lordship with the state of those matters before them as they stand at present.

Four Companies. Coll: Fletcher has been directed by His Majᵗʸ's order to use his endevours to keep up the four companies in the province of New York by the continuance of a fund which the Assembly of that province granted for that purpose.

Complaints agst the officers Several complaints against the officers of those forces referred first to the Examination of this Board have not been so clearly made out as was pretended, and upon a representation made by their Lordᵖˢ to His Majᵗʸ of the bare matters of fact, that appeared to them on both sides, those matters stand now referred by his Majᵗʸ to the Duke of Schonbergh and other the Generall Officers sitting at the Horse Guards.

Subsistence for the four companies. Their Lordships did some while ago represent to His Majᵗʸ the necessity that the subsistence for those four companies should be punctually paid, and very lately upon a Memorial of your Lordship's, they have represented more particularly to their excellencies the Lords Justices, the expediency that the arrears of off-recknings and subsistence which may be due to those Forces should be paid them upon the arrival of Your Lordᵖ in that Province.

Stores— Together with the arms which Your Lordᵖ mentions to have been lately sent thither, there was also sent a proportion of Powder and other warlike stores.

So that upon all these heads the Lords Commissioners of the Council of Trade do not well see what more remains proper for them to do in consistency with what has been already done, and they therefore referr the whole to Your Lordship's consideration— I am— ettc.

10ᵗʰ June. W. P.

Commission for the Earl of Bellomont.

[New-York Entries, A. 190.]

Commission for the Rᵗ Honᵇˡᵉ the Earl of Bellomont to be His Majᵗʸˢ Captⁿ General and Govʳ in Chief of His Majᵗʸˢ province of New York and the territories depending thereon in America.

Direction of the Commission— WILLIAM the third by the Grace of God King of England Scotland France and Ireland defender of the faith ettc. To our Right trusty and Right welbeloved Cousin Richard Earl of Bellomont, GREETING. We reposing especial trust and confidence in the prudence courage and loyalty of you the said Richard Earl of Bellomont, out of our

Earl of Bellomont appointed Governor. especial Grace certain knowledge and meer motion, have thought fit to constitute and appoint, and we do by these presents constitute and appoint you the said Earl of Bellomont to be our Captⁿ General and Govʳ in cheif in, and over our province of New York and the territories depending thereon in America.

To act according to his commission and instructions ettc. And we do hereby require and comand you to do and execute all things in due manner that shall belong unto your said command, and the trust we have reposed in you according to the several powers and directions granted or appointed you by this present Commission, and the Instructions herewith given you, or by such further powers, Instructions and Authorities as shall at any time hereafter be granted or appointed you under our signet or sign manual, or by our order in our privy council, and according to such reasonable laws and

Statutes, as now are in force, or hereafter shall be made and agreed upon by you with the advice and consent of the Council, and Assembly of our said province under your Govern^{t} in such manner and forme as is hereafter expressed.

After having taken the oaths etc: to administer the same to the members of the Council.

And we do hereby give and grant full power unto you the said Richard Earl of Bellomont after you shall first have taken an oath for the due execution of the Office and trust of our Capt^{n} General and Gov^{r} in Chief in and over our said province of New York and the territories depending thereon which our said Council or any five of them have hereby full power and authority, and are required to administer unto you, to give and administer to each of the members of our said Council, as well the oaths appointed by act of Parlm^{t} to be taken instead of the oaths of Allegiance, and supremacy, as the Test and the oath for the due execution of their places and trusts and likewise to require them to subscribe the late association mentioned in an act of Parliament made in the 7th and 8th years of our Reign, entituled: *An act for the better security of His Maj^{tys} Royal person and Government.*

To suspend any of the Council if there be just cause

And we do hereby give and grant unto you full power and authority, to suspend any of the members of our said Council, from sitting, voting and assisting therein, if you shall find just cause for so doing.

Three to be a Quorum.

And if it shall at any time happen that by the death, departure out of our said province, or suspension of any of our Councillors, there shall be a vacancy in our said Council (any three whereof we do hereby appoint to be a quorum) Our will and Pleasure is: that you signify the same unto us, by the first opportunity, that we may under our signet and sign manual, constitute and appoint others in their stead. But that our affairs at that distance, may not suffer for want of a due number of Councillors, if ever it shall happen that there be less then seven of them residing in our said province, we do hereby give and grant unto you full power and authority to choose as many persons out of the principal freeholders inhabitants thereof as will make up the full number of our said Councill, to be seaven and no more, which persons by virtue of such choice shall be to all intents & purposes Councillors in our said province, until they shall be confirmed by us, or that by the nomination of others by us under our sign manual and signet, the said Council shall have seaven persons in it.

To give an account of all vacancies in Council, that His Majty may appoint others—

If there be less than seven residing in the Province, he may chuse as many as will make up that number and no more and they to be reputed Councellors till aprov'd or others nominated by His Majesty.

With the advice of the Council to call Assemblies.

We do hereby give and grant unto you full power and authority, with the advice and consent of our said Council from time to time as need shall require, to summon and call General Assemblys of the Inhabitants being freeholders within your Govern^{t} according to the usage of our Colony of N. York.

The members of the Assembly to take the oaths ette or else not to be capable of sitting tho' elected

And our will and pleasure is that the persons thereupon duly elected by the major part of the Freeholders of the respective Counties and places, and so returned, and having before their sitting, taken the oaths appointed by act of Parlm^{t} to be taken instead of the oaths of Allegiance and supremacy and subscribed the Test and the Association aforesaid (which oaths you shall Comissionate fit persons under our seal of New York to administer and without taking the said oaths and subscribing the said Test and Association none shall be capable of sitting tho' elected) shall be called and held the general Assembly of that our province and territories depending thereon.

With the consent of the Council and Assembly to constitute Laws ette.

And that you the said Earl of Bellomont by and with the consent of our said Council and Assembly, or the Major part of them respectively, shall have full power and authority to make constitute and ordain laws, statutes and ordinances

for the public peace, welfare and good Govern^{t} of our said province and of the people and inhabitants thereof, and such others as shall resort thereto, and for the benefit of us our heirs and successors.

Which are to be agreeable to the laws of England.

Which said laws, Statutes and ordinances are to be (as near as may be) agreeable to the laws and Statutes of this our Kingdome of England.

And to be transmitted within three months after the making thereof for H. Majty's approbation or disalowance.

Provided that all such laws, statutes and ordinances of what nature or duration soever, be within three months or sooner after the making thereof transmitted unto us under our seal of New York for our approbation or disallowance of the same, as also duplicats thereof by the next conveyance.

And if any of them (not before confirm'd) be dissalowed by His Majty they shall be void and of none effect.

And in case any or all of them, being not before confirm'd by us shall at any time be disallowed and not approv'd and so signified by us our heirs and successors under our or their sign manual and signet, or by order of our or their privy Councill unto you the said Earl of Bellomont or to the Commander in Chief of our said province for the time being then such and so many of them as shall be so disallowed and not approved, shall from thenceforth cease determine and become utterly void and of none effect, any thing to the Contrary thereof notwithstanding.

To have a negative voice in passing all laws.

And to the end nothing may be passed or done by our said Council or Assembly to the prejudice of us, our heirs, and successors, we will and ordain that you, the said Earl of Bellomont, shall have and enjoy, a negative voice, in the making and passing of all laws, statutes, and ordinances as aforesaid.

To adjourn prorogue or dissolve the Assembly.

And that you shall and may likewise from time to time as you shall judge it necessary, adjourn, Prorogue and dissolve all general Assemblies as aforesaid.

To use the publick seal.

Our will and pleasure is, that you shall and may keep and use the publick seal appointed or to be appointed by us for our province of New York.

And to administer the oaths to all persons passing through or abiding in the Province as he shall thinke fit—

We do further give and grant unto you the said Earl of Bellomont full power and authority from time to time, and at any time hereafter by yourself or by any other to be authorized by you in that behalf, to administer and give the oaths appointed by act of Parliament to be taken instead of the oaths of allegiance and supremacy, to all and to every such person or persons as you shall think fit, who shall at any time or times pass into our said province or shall be resident or abiding there.

To establish courts of Judicature ettc.

And we do by these presents give and grant unto you, full power and authority with the advice and consent of our said Council, to erect, constitute and establish, such and so many courts of judicature and publick justice, within our said province, and the territories under your Govern^{t} as you and they shall think fit and necessary, for the hearing and determining of all causes as well criminal as civil according to law and equity, and for awarding of executions thereupon, with all reasonable and necessary powers,

To commissionate fit persons to administer the oaths.

authorities, fees and priviledges belonging unto them as also to appoint and commissionate fit persons in the several parts of your Govern^{t} to administer the oaths appointed by act of Parliam^{t} to be taken instead of the oaths of allegiance & supremacy and the test, unto such as shall be obliged to take the same.

To constitute Judges, Justices ettc, and to administer the oaths to them—

And we do hereby authorize and empower you to constitute and appoint Judges, Justices of the peace and other necessary officers and Ministers in our said province, for the better administration of Justice and putting the laws in execution and to administer or cause to be administred, such oath or oaths as are usually given for the due execution and performance of offices and places and for the clearing of truth in judicial causes.

Appeal from the Courts to be made to him provided the value exceed 100£.

We do further by these presents will and require, that appeals be permitted to be made in cases of Errour from our Courts in New York, unto you our Governr and to our Council & in your absence from our said province to our Lieutt Govr and our said Council in civil causes. Provided the value appeal'd for do exceed the sum of one hundred pounds sterling, and that security be first given, by the appellant, to answer such charges as shall be awarded in case the first sentence shall be affirm'd.

Appeals to be permitted to be made to His Majty provided the value exceed 300£. ettc.

And whereas we do judge it necessary, that all our subjects may have liberty to appeal to our Royal person in cases that may deserve the same, Our will and pleasure is, that if either party[1] shall not rest satisfied with the judgmt or sentence of our Govr or Lieutt Govr and Council as aforesaid, they may then appeal unto us in our privi Council, Provided the matter in difference exceed the true value and sum of three hundred pounds sterling, and that such appeal be made within fourteen days after sentence and security be likewise duly given by the appellant to answer such charges as shall be awarded in case the sentence of the Govr & Council be confirm'd. And provided also that the execution be not suspended by reason of any such appeal unto us.

To pardon all offences treason and murder excepted, in which cases power to reprieve till His Majty's pleasure be known.

And we do hereby give and grant unto you full power and authority where you shall judge any offenders in criminal matters or for any fines or forfeitures fit objects of our mercy, to pardon and remit such offender's fines and forfeitures before or after sentence given. Treason and willful murder only excepted, in which cases you shall likewise have power upon extraordinary occasions to grant reprives to the Offenders, until our Royal pleasure may be known therein.

Power to collate persons to Ecclesiastical benefices.

We do by these presents authorize and empower you to collate any person or persons in any Churches, Chappels or other Ecclesiastical benefices within our said province and territories aforesaid, as often as any of them shall happen to be void.

Power to levy & arm the Inhabitants.

We do hereby give and grant unto you the said Earl of Bellomont, by yourself, your Captns and Commanders by you to be authorized, full power and authority, to Levy, arm, muster, command and employ, all persons whatsoever within our said province of New York, and other the territories under your Govnt and as occasion shall serve

and them to transfer from one place to another.

them to transfer from one place to another, for the resisting and withstanding of all Enemies, Pirats and Rebells both at sea and at Land, and to transport such forces to any of our plantations in America, as occasion shall require for the defence of the same against the invasion or attempts of any of our Enemies.

To pursue the Enemy.

And them if occasion shall require to prosecute in or out of the Limits of our said province or Plantations or any of them.

And them to put to death if taken or keep alive at his discretion.

And if it shall please God them to vanquish, apprehend and take, and being taken either, according to law of arms, to put to death or keep and preserve alive at your discretion.

To execute martial law in time of invasion.

And [to] execute martial law in time of invasion, insurrection or war, and during the continuance of the same as also upon soldiers in pay; and to do and execute all and every other thing or things which to a Captn General doth or ought of right to belong, as fully and amply as any our Captn General doth or hath usually done

To build Forts Castles, Towns ettc.

And we do hereby give and grant unto you full power and authority, to erect, raise and build in our said province and territories depending thereon, such and so many Forts and platforms, Castles, Cities, Bourroughs, Townes and fortifications as you by

[1] "if either of the Parties". Record in Secretary's Office, in Book of *Commissions*, II., 90.—Ed.

And them to fortify etc. the advice aforesaid shall judge necessary. And the same or any of them to fortify and furnish with ordnance, amunition and all sorts of arms fit and necessary for the security and defence of our said province.

To erect a Court Admiral. And we do hereby give and grant unto you the said Earl of Bellomont, full power and authority to erect one or more Court or Courts Admiral within our said province and territorys for the hearing and determining of all marine and other causes and matters proper therein to be heard, will all reasonable and necessary powers, authorities fees and privileges.

To exercise the powers belonging to the office of vice Admiral. As also to exercise all powers belonging to the place and office of vice Admiral of and in all the seas and coasts within your Govern^{t} according to such Commission, Authorities and instructions as you shall receive from ourself, under the seal of our Admiralty or from our high Admiral or Commissioners for executing the office of high Admiral of our foreign plantations for the time being.

To appoint Commandrs of ships. And for as much as divers mutinies and disorders do happen by persons shipt and employed at sea, to the end therefore that such persons may be the better governed and ordered, We do hereby give and grant unto you the said Earl of Bellomont our Capt^{n} General and Gov^{r} in chief, full power and authority to constitute and appoint Capt^{ns} Masters of ships and other Commanders, and to grant to such Capt^{ns}, Masters of ships and other Commanders Commissions to execute the Law martial and to use such proceedings, authorities, punishments, corrections and execution upon any offender or offenders, which shall be mutinous, seditious, disorderly or any way unruly, either at sea or during their time of abode or residence in any of the ports, harbours or bays of our said province or territories as the cause shall be found to require according to martial law, provided that nothing herein contained, shall be construed to the enabling you or any by your authority to hold plea or have any jurisdiction of any offence, cause, matter or thing committed or done upon the high sea, or within any of the Havens rivers or creeks of our said province or territorities under your Govern^{t} by any Capt^{n} Commander Lieut^{t} Master, or other officer, seaman, soldier or person whatsoever, who shall be in actual service and pay in and on board any of our ships of war or other vessells acting by immediate commission or warrant from our Commissioners for executing the office of our high Admiral of England under the seal of our Admiralty or from our high Admiral of England for the time being, but that such Capt^{ns}, Command^{r} Lieut^{t}, Master, Officer, Seaman, Soldier, or other person so offending, shall be left to be proceeded against and try'd as the merits of their offences shall require, either by Commission under our great seal of England as the statute of the 28th of Henry the 8th directs, or by Commission from our said Commissioners for executing the office of our high Admiral of England or from our high Admiral for the time being, according to the act of Parliament passed in the 13th year of the reign of the late King Charles the second (entituled: *An act for the establishing Articles and orders for the regulating and better Govern^{t} of His Maj^{tys} Navys ships of war and forces by sea*) and not otherwise; saving only that it shall and may be lawful for you upon any such Captain or Commander refusing or neglecting to execute, or upon his negligent or undue execution of any of the written orders, he shall receive from you for our service and the service of our said province, to suspend him the said Capt^{n} or Commander from the exercise of his said Office of Commander and comit him into safe custody either on board his own ship or elsewhere at the discretion of you, in

with Commissions to execute Martial law upon offenders at sea or in ports.

Not to have jurisdiction on board the King's ships.—

Which shall be left to be proceeded against according to the statute of the 28th Hen: 8th etc.

Power to suspend Commenders not obeying his orders.

And to comit him.

order to his being brought to answer for the same by Commission under our great seal of England, or from our said high Admiral as is before expressed. In which case, Our will and pleasure is, that the Capt[n] or Commander so by you suspended, shall during such [his] suspension and Commitment be succeeded in his said Office by such Commission or warrant officer of our said ship appointed by our Commissioners for executing the office of our high Admiral of England or by our high Admiral of England for the time being, as by the known practice or discipline of our Navy does and ought next to succeed him, as in case of death sickness or other ordinary dissability happening to the Commander of any of our ships of war and not otherwise, you standing also accountable to us for the truth and importance of the crimes and misdemeanours for which you shall so proceed, to the suspending of such our Capt[n] or Command[r] Provided also that all such disorders and misdemeanours committed on shoar, by any Capt[n] Command[r] Lieut[t] Master or other Officer, seaman Soldier or person whatsoever belonging to any of our ships of war or other vessells acting by immediate Commission or warrant from our Commissioners for executing the Office of our high Admiral of England under the seal of our Admiralty or from our high Admiral of England for the time being, may be tryed and punished according to the laws of the Place, where any such disorders offences and misdemeanours shall be so committed on shore, notwithstanding such offender be in our actual service and born in our pay on board any such our ships of war or other vessells, acting by immediate Commission or Warrant from our Commissioners for executing the Office of our high Admiral or from our high Admiral as aforesaid, so as he shall not receive any protection for the avoiding of Justice, for such offences committed on shoar from any pretence of his being employed in our service at sea.

Upon such suspension the next warrt officer to succeed.

The Govr to be accountable for such suspension.

Captns of ships ette committing offences on shoar to be tryed and punish'd according to the laws of the place.

No money to be issued but by warrt with consent of the Council

Our will and pleasure is, that all publick moneyes raised or to be raised within our said province and other the territories depending thereupon be issued out by warrant from you by and with the advice and consent of the Council and disposed of by you for the support of the Govern[t] and not otherwise.

To dispose of lands ette. by advice of the Council.

And we do hereby likewise give and grant unto you full power and authority, by and with the advice of our said Council, to agree with the Inhabitants of our province and territories aforesaid, for such lands, tenements and hereditaments as now are or hereafter shall be in our power to dispose of.

Under moderate quit rents ette.

And them to grant to any person or p[r]sons for such terms and under such moderate Quit Rents services and acknowledgements to be thereupon reserved unto us as you by and with the advice aforesaid shall think fitt

The grants of Lands so sold to be under the seal of the Province

Which said grants are to pass and be sealed by our seal of New York, and being enter'd upon record by such officer or Officers as you shall appoint thereunto shall be good and effectual in law ag[st] us, our heirs & successors —

To appoint Fairs ette.

Also Ports harbours ette.

And we do hereby give you full power, to order and appoint Fairs, Marts, and Markets, as also such and so many Ports, Harbours, Bays, Havens and other places for [the] convenience and security of shipping, and for the better loading and unloading of goods and merchandizes, as by you with the advice and consent of the said Councill shall be thought fit and necessary and in them or any of them to erect, nominate and appoint

And Custome houses

Customehouses, Warehouses and Officers relating thereunto, and them to alter, change place or displace from time to time as with the advice aforesaid shall be thought fit.

Vice to be discountenanced

And we do by these presents, Will, Require & Command you to take all possible care for the discountenance of vice and the encouragement of virtue and good living, that by such example the Infidels may be invited and desire to partake of the Christian faith.

Not to dispose of any place usually granted under the great seal of Engld:

And further Our will and pleasure is, that you shall not at any time hereafter, by colour of any power or Authority, hereby granted or mentioned to be granted take upon you to give, grant or dispose of any Office or place within our said province and territories, which is now or shall be granted under the great seal of England, any further than that you may upon the vacancy of any such Office or suspension of any Officer by you put in any person to officiate in the interval, until the said place be disposed of by us, under the great seal of England, or that our directions be otherwise given therein.

All officers to be obedient to him.

And we do hereby require and command all Officers and Ministers, Civil and Military and all other inhabitants of our said province and the territories depending thereon, to be obedient aiding and Assisting unto you the said Earl of Bellomont, in the execution of this our Commission and of the powers and authorities herein contained. And in case of your death or absence out of our said province and territories aforesaid unto such person as shall be appointed by us to be our Lieut^{t} Gov^{r} or Commander in chief of our said province, to whom we do by these presents give and grant all and singular the power & Authorities aforesaid to be executed and enjoyed by him during our pleasure, or until your return to our said province and territories, and if upon such death or absence there be no person upon the place Commissionated or appointed by us to be our Lieut^{t} Gov or Commander in Chief Our will and pleasure is, that the then present Councill of our said province, do take upon them the Administration of the Govern^{t} and execute this Commission and the several powers and authorities herein contained, relating to our said province, and that the first Councillor who shall be at the time of your death or absence residing within the same; do preside in our said Councill with such power and preheminencies as any former president hath used and enjoyed within our said province, or any other our plantations in America, until our pleasure be further known, or your return as aforesaid.

Upon his death or absence (if there be no Commandr in Chief) the Council do take the administration of the Govern^{t} and the first Councellor to preside.

To be Govr during His Majty's pleasure

And lastly we do hereby declare ordain and appoint, that you the said Earl of Bellomont shall and may hold execute and enjoy the Office and place of our Capt^{n} General and Gov^{r} in chief in and over our province of New York and the territories depending thereon, together with all and singular the powers and Authorities hereby granted unto you, for and during our will and pleasure, immediately upon your arrival within our said province of New York and the publication of this our Commission from which time our Commission to our Trusty & welbeloved Benjamin Fletcher Esq: to be Capt^{n} Gen^{l} and Gov^{r} in chief of our said province and territories depending thereon is immediately to cease and become void.

Upon publication of this Commission Coll: Fletcher's Comn to become void

To be Captn General of the Militia and all forces by sea & land in E & W. new Jerseys.

And whereas there are divers Colonies adjoining to our province of New York for the defence and security whereof, it is requisite that due care be taken in this time of war. We have therefore thought it further necessary for our service, and for the better protection and security of our subjects inhabiting those parts to constitute and appoint and we do by these presents constitute and appoint you the said Richard Earl of Bellomont to be our Captain General and Commander in Chief, of the Militia and of all the forces by sea and land within our province of East and West New Jersey and of all our Forts and places of strength within the same.

And for the better ordering Governing and ruling our said Militia and all our forces Forts and places of strength within our said province of East and West New Jersey; We do hereby give and grant unto you the said Richard Earl of Bellomont, and in your absence to your Lieut[t] Gov[r] or Commander in chief of our province of New York, all and every the like powers as in these presents are before granted and recited for the ruling, governing and ordering our Militia and all our forces forts and places of strength within our province of New York to be exercised by you the said Richard Earl of Bellomont and in your absence from our territory and Dominion of New York by our said Lieutenant Gov[r] or Commander in Chief of our said province of New York within our said provinces of East and West New Jersey for and during our pleasure. In Witness whereof, We have caused these our letters to be made patents.—Witnesses. Thomas Archbishop of Canterbury, and the rest of the Guardians and Justices of the Kingdome—At Westminster the 18[th] day of June in the ninth Year of our Reign 1697.

Governor Fletcher to the Lords of Trade.

[New-York Entries, A. 261.]

To the Right Hon[ble] the Lords Commissioners of the Council of Trade & Plantations.

May it please Your Lordships.

I have received Your Lord[ps] commands of February the first, the 19[th] inst: together with the duplicates of Your Lord[ps] Queries of the 25[th] of Sept[r] and did issue forth orders to the Justices of the peace of the several Counties to enable me to give Your Lordships the more accurate and perfect answer.

He has received the Council of Trade's letters.

I shall not be wanting in my duty to give Your Lord[ps] information of the state of affairs of this province in all its circumstances, and what I may observe useful and necessary for His Maj[ty's] service and the good prosperity thereof.

He will give an account of the state of the Province etc.

I do most humbly acknowledge the great care and goodness of our most gracious Soveraign to His subjects here, in giving Artilery stores of war and other things needful for their defence and safety and Your Lord[ps] goodness in laying matters that relate to us, before His Maj[ty].

Stores.

I have endevoured with the Assembly in March last, to raise a supply to enable me to give the like encouragement as formerly to the Soldiers, and did acquaint them of the good effects it had, that since the money was paid them in their own hands (which I caused punctually to be performed) not one man had deserted, but could not prevail so far.

The Assembly will not raise a supply as formerly for the Soldiers.

The have raised a fund for levy-money, to recruite only three companies at Albany for 12 month from the first of May past with 3[d] a day instead of 4[d] given the last year, which husbandry has given such discouragement, that many have since deserted, and I find greater difficulty of finding men to make up their complement. They have no regard to the company Quarter'd in this place, tho' upon all occasion I have detached part of them to Albany; part of them were

They have raised a fund to recruit the 3 compys at Albany for one year and instead of 4d given the last year, they allow now but 3d a day. which has so discouraged the soldiers the many have deserted.

with me all the winter there; and I have detached part of them to strengthen the Richmond upon extraordinary occasion, as of a French man-of-war being on our coast. Since the passing of that act 25 men are deserted from the Fort.

Men desert.

I send hues and cries and officers after them into the neighbouring provinces, which is very unsuccessful, I hope His Majtys Royal commands will prove effectual.

He desires 150. Recruits from Engld or Ireld agst next May.

I humbly offer my opinion that one hundred and fifty recruits be sent from England or Ireland against May next, and then those annually listed may returne to their labour which brings them in this Countrey three shillings a day, and holds no proportion with their pay, a smaller number annually will be required to keep them full afterwards.

The soldiers in great want of clothes.

Tis 5 years since the 2 old compies had full mountings —

Our winters are extream cold and long, the men are then in great misery for want of cloathes, it is now five years past since the two old compies had full mounting.

He will observe the orders about fugitives and deserters —

I shall carefully observe your Lordps cômands concerning fugitives and deserters in this Province.

May it please Your Lordships —

As to the complaint given in for entertainment of Pyrates in this Province.

Bills agst Pyrates

I brought over with me from the Plantations Office by their Majesties commands, the draft of a bill against Piracy, which was enacted here to be of force for some time, which act did give pardon and liberty to all such as should come into the Province within the limitation of that time, and enter into bond for their good behaviour and not to depart the province without Lycence, in which time a ship Commanded by one Coats which had been in the time that Captn Leisler took upon him the Governt taken from the Enemy condemned and sold to the use of the Captors and hearing that Captn Leisler was dead, they threw a great deal of East India goods over board, and most of them separated and left the ship at the East end the Island of Nassaw, when I heard of this, I called the Councill who were of opinion to have the ship brought up to New York, which was accordingly done, and these few that came in her, had the benefit of that act, and gave Bond accordingly; there never has been any other since come into this province.

Acct of the Pirate Coats.

Of Captn. Tue, to whom he gave a Commission.

Captn Tue brought in no ship to this Port, he came here as a stranger, and came to my table as other strangers do, when they come into the province; he told me he had a sloop of force well Mann'd and not only promised but entered in to Bond to make War upon the French, in the mouth of Cannada River, whereupon I gave him a Commission and instructions accordingly.

As also to others.

I have given some private Commissions to others of like nature, who have done service against the Kings Enemies.

One Hoare an Irishman with a Commission from Sr Wm. Beeston took a Rich French Prize.

An Irishman one Hoare by a Commission from Sr Wm Beeston of Jamaica took a considerable prize from the French loaded with sugar & Indigo, which he carried into Road Island and there disposed of the loading as I am informed, the prize ship being of better force and fitter for his purpose he put on board of her and applyed to me for a Commission to go against the French on the banks of Newfoundland and Mouth of Canada River, which I gave him and took security, for his observing my instructions. I have not heard of him since.

To whom he also gave a Commission

It may be my unhappiness, but not my crime if they turn Pyrates, I have heard of none yet that has done so.

Acct of Captn Kid who has a Commissn from the King for suppressing of Pirates.

One Capt[n] Kid lately arrived here, and produced a Commission under the great seal of England, for suppressing of Piracy, when he was here, many flockt to him from all parts men of desperate fortunes and necessitous in expectation of getting vast treasure, he sailed from hence with 150 men as I am informed great part of them are of this province; It is generally believed here, they will have money p[r] fas aut nefas, that if he misse of the design intended for which he has commission, 'twill not be in Kidd's power to govern such a hord of men under no pay.

Mr. Caleb Heathcote does not leave the Province.

M[r] Caleb Heathcote is not to leave this Province and hath given directions for the taking out of the warrant, he is a Gentleman, hath been very usefull, and has advanced his private fortune for His Maj[tey] service, to answer an emergency when money was not in the Treasury, and zealously affected to His Maj[ties] Govern[t] and Interest.

The orders given abt the convoys for the Province he thinks will be advantagious.

What is ordered concerning the Frigats that attend this coast, must be of service; the provisions that go from hence and fall into the Enemys hands for want of convoy are a great strengthening of them, who are not otherwise able to fit so many privateers in the West Indies.

Provisions are exported from hence at all times and seasons of the year, even in the winter when there is ice in our Rivers, a vessell outward bound will find an opportunity of wind and weather to get to sea, when strangers dare not venture upon our Coast.

When it is publicly known what method Your Lordships propose, the Merchants will order their affairs to the greatest safety and least hazard.

He will obey the orders relating to the Commandrs of the Ks ships

I shall obey Your Lordships directions in looking after the conduct of the Capt[ns] of His Maj[tys] ships here; I have been several times on board the Richmond, when I have seen her well mann'd, her lying up many months during the hardships of our winters and the little conveniency we have for careening and fitting such ships occasions great charge to His Majesty and little use to this place. Our protection from November to March being the north-west winds.

He does not know that the Commandr of the Richmd bakes or Brewes for any ship but his own.

I have not heard of his Baking and brewing for any vessell but his own, and have also observed him not negligent of his duty.

I shall take care to supply His Maj[tys] ships here with what men are wanted, and prevent irregularities of impressing to the hurt of Trade.

His being at Albany all winter gave the inhabitants great satisfaction —

I was necessitated to put myself into Albany this winter, where I continued until the month of March, which gave the inhabitants great satisfaction and kept them together, I cannot in these summer months leave this Garrison being the frontier to the sea.

His treatment to some of the Indians.

I have been at great pains to gain the hearts of the Heathen, and have as much of their esteem as any Governor ever had before me, I have taken their Chief Sachims to my table; some of the principal leading men of the Five nations, came down the River to pay me a visit, whom I treated with all manner of kindness and Courtesy, I ordered them on board the greatest ships we have and the guns to be fired, the King's birth day happening in that time; I ordered them to be by when all the guns were fired, I caused some of them to be loaded with ball, to show them how far they could carry upon the River, I caused Granada shells to be fired before them and let them see the armory. I ordered six horses to be put into my coach and my coachmen to drive them round the City and into the Country to take the air, by which they were extreamly oblieged, and dismissed them with considerable presents, at which they did express great satisfaction.

Two Indian princes had a designe to go Engld but changed their mindes.

When I came down from Albany last fall, Two of the Indian princes follow'd me and had some purpose of going for England but altered their mindes.

I have had a boy about fifteen years (the son of a great warrior that dyed brave in an engagem^{t} against the French, about three years agoe) in my family upwards of a twelvemonth and put him to school, he can speak both Dutch and English, but of late his Mother came down and inticed him away to kindle his fathers fire and built up his house.

He will observe the Councils commands abt the Indians. Associations

I shall pursue Your Lordships further Commands concerning the Indians.

The Associations that were sent us from Whitehall, were of two sorts, and came by different conveyances which caused the mistake, but they were both, signed and returned, some might miscarry.

Copys of their Acts & Journals are preparing to be sent.

I am glad to hear of the arrival of these our Acts of Assembly, several packets have been lost since the warr, I hope those by way of Virginia are come to hand safe by this time, other copies and Journals are preparing for next safe conveyance.

He can vindicate himself agst the complaints given in against him.

As to the complaints given in against me, I thank God I have a clear and undisturb'd mind and shall be able to vindicate myself.

The Towns of Rye and Bedford have revolted to Connecticut and by them countenanced.

Some time before I came down from Albany two small towns of Rye and Bedford in Weschester County, that ly next to Connecticut being much in arrearages of Taxes have revolted to Connecticot, who countenance them notwithstanding I found them at my arrival part of this province, and so have continued till now, which is contrary to a stipulation made between the Colony and Coll Dongan An^{o} 1683 under the hands and seals of their Gov^{r} and Assistants; I am loath to make warr upon any of His Maj^{ties} subjects, and therefore lay this matter before your Lord^{ps}; They have invaded us with a Capt^{n} and fifty men armed with Fuzees on Horseback, to disturb the Election of a representative, pursuant to the King's writt at the Town of Rye. I never found them so forward to give assistance to Albany, upon an approach of the Enemy, notwithstanding my frequent application & the Royal Commands, that did oblige their obedience.

I have desired them not to countenance these irregularities, but to suffer these Towns to remain as they were, until Your Lordships, give your determination, which I am at all times ready to obey, but they will not hearken unto me — All this I humbly submitt unto your Lordships and shall endevour to approve myself — May it please your Lord^{ps} most obed^{t} most dutiful and most humble servant.

Benj: Fletcher

Commission of Captain Nanfan to be Lieutenant-Governor of New-York.

[New-York Entries, A. 247.]

The Lords Justices of England.

Thomas Cantuar	Shrewsbury
J. Somers C.	Sunderland
Devonshire	Romney.

To Capt^{n} John Nanfan, Greeting. Whereas by His Maj^{ties} Commission under the great Seal of England, bearing date the 18th day of June in the 9th year of his Reign, His Maj^{ty} hath thought fit to constitute and appoint the Right Hon^{ble} Richard Earl of Bellomont to be His Capt^{n} General and Gov^{r} in chief, in and over His Province of New York and the territories depending thereon in America. And whereas His Maj^{ty} reposes especial trust and confidence in your Loyalty, courage and circumspection, His Maj^{ty} does by these presents, constitute and appoint you to be His Lieut^{t} Gov^{r} of his said province and territories of New York, to have, hold, exercise and enjoy the said place and Office for and during His Maj^{ties} pleasure with all Rights, Priviledges, profits, perquisits and Advantages to the same belonging or appertaining. And in case of the death or absence of the said Richard Earl of Bellomont His Maj^{ty} does hereby authorize and require you, to execute and performe all and singular the powers and directions contained in the said Commission to the said Richard Earl of Bellomont, and such instructions as are already or hereafter shall from time to time be sent unto him. And you are to observe and follow such orders and directions as you shall receive from His Maj^{ty}, the said Richard Earl of Bellomont or any other Chief Governor of the said province of New York and territories depending thereon for the time being, *during his residence within the same*, And all and singular His Maj^{ties} Officers Ministers and loving subjects of the said province and territory and others whom it may concerne, are hereby commanded to take due notice hereof, and to give their ready obedience accordingly. At the Court at Whitehall the first day of July 1697. In the ninth year of His Maj$^{ty's}$ Reign.

By their Excellencies Command

JAMES VERNON.

Governor Fletcher to the Lords of Trade.

[New-York Entries, A. 294.]

May it please your Lordships.

Advice from Curraço of the French and of Admi Nevill.

Since my last there is arrived a sloop from Curraço in her Ballast that came from thence the first of June last, the Dutch Gov^{r} there gives me advice the French have taken the Fort Boca Chica, and are before Carthagena, which is doubted they are also masters of; Having spared much provisions to the Spaniards on this occasion he craves liberty to purchase here for money; his sloop being immediately searched by the Custome house Officer, and the Master taking oath he came without any loading, the

Council were unanimously of opinion for giving him liberty upon so urgent and good a designe.

The sloop in her way hither touched at the Bohemia Islands, where the Master understood that Admirall Nevill had been at Petit Guavas, and was gone towards Carthagena in good health and condition.

Propositions from the Indians.

Your Lordship will see by the inclosed propositions the unwearied pains and Craft of that French Count Frontenac to draw over our Indians, and how necessary it is for His Majestys service to preserve their allyance to this province.

a Scotch ship arrived at Pensylvania.

I hear there is a ship of 30. Guns from Scotland arrived at Pennsilvania.

Want of subsistance

May it please Your Lordships, we are under great hardships for want of a due and constant returne of the subsistence of the four Companies.

Several Bills he has drawn upon the Agents, returned protested.

I have drawn sundry Bills upon the Agent which are returned protested for not being paid in money but Bank bills, in which there is 19. in the hundred losse, as I am informed other payments have been with charge—This accident has given that checq: to the credit of my bills that neither victuallers nor Merchant will accept of them.

Want of subsistance and cloaths.

I humbly beg your Lord^{ps} favour in this matter disappointments in our cloaths and subsistance greatly discourages the service.

The three Lieutts.

These Lieut^{ts} Your Lord^{ps} mention, must throw some crimination on me to cover their own guilt, they quitting His Maj^{tys} service at a time when the Enemy was expected

The Compnies constantly victualled upon his credit and the Lieutts paid as money came to hand.

The companyes have been victualled ever since I came over, upon my Bond & Credit, I constantly paid these Gentlemen as money came to my hand, either to themselves or Capt^{ns} as their acquittances will show.

Levingston

When M^{r} Livingston gave in his complaint against me, he had not one penny due to him from me or the Govern^{t} since my coming to it, that 900£ he charges me with while he was given over here for lost, was all paid to his order, ere he got to England.

I hope when it pleases God I may attend Your Lord^{ps} it will appear I have above all things studied to serve His Maj^{ty} as becomes an honest man in endevouring the safety and prosperity of this Province, both which have hitherto attended it, and in all other parts of my duty, I shall adjust myself a loyal subject &.

Your Lordships—most obedient most
humble and most dutiful servant

New York July 2. 1697. BENJ: FLETCHER.

Propositions of the Onondage Sachims.

[New-York Papers, A. B. B.32.]

Propositions made by the Sachims of Onondage in Albany this 9th of June 1697.

PRESENT. — Coll. Peter Schuyler Major Dirck Wessell
Dellius Captaine Evert Banker.

Dekanassore Speaker

Brother Cajenquirago.

Odatsigtha is lately come from Canada as alsoe the 2 Mohaques that the Father sent thither with the woman and child that were prisoners; of the two last wee hear no newes, but of the first, that is Odatsigtha he hath related to us what he had said to the Onondia, that he had an affection for his own country and would therefore returne thither. Whereupon Onondia answered that he did well that he might return to his own country but that he would give him a belt of Wampum to deliver to the 5 Nation: which he did; the Belt was folded double, the one halfe was a token of the affection he had for Odatsigtha and the other halfe was to show the Five Nation the inclination he has to make peace with them and pursuant thereunto they should send one out of each family to him, or if that was to be too troublesome, they should send some of their principle men to him, or if they could not resolve upon that, then they should send some of their meanest persons; but if they should still scruple, [that] they should declare their thoughts of peace to Odatsigtha, who would tell it him, for he would leave nothing undone, but would use all endeavours to come to the peace.

When Odatsigtha brought this Belt from Onondio unto our Castle, Onegade said that it was resolved by the generall vote of old and young men and women &c that none of their Castle should againe goe to live at Canada because Cajenquiragos people as well as other nations charged them with being affected to the French.

Brother Caijenquirago.

About this Belt from the Onondio we summons all the 5 Nations in, by seven hands of Wampum wee asked the Oneydes if they had informed the gentlemen of Albany with it, who said they had not; wee have also neglected to send 7 hands of wampum to Albany to desire them to assist us in our generall meeting, perticularly about the treaty of peace, which of old is used to be done there. Before the missinger returned that wee sent with the seven hands of Wampum for the whole house to meet, the Onondio had killed one of our people, but because it was one of our own people, not of another nation, and also that we are desired to make peace, we resolved that we would not therefore put a stop to it. Upon our 7 hands of Wampum the Sinnodwannes[1] Cajoegers nor Maquas appeared to consult about the Onondios Belt, but they sent us word they would leave the mater wholly to us.

As you Cajenquirago gave us leave about 2 years since to make peace with the Onondio, and wee have therefore resolved to send Aredsion and Sontragtowane as Agents to the Onondios with a belt of Wampum folded double with these words

Father

You told Odatsigtha when he came from Canada that you inclined to peace & to that end you sent a Belt of Wampum to desire us to come to you to make peace: Father, is that true: —

[1] Senecas. See ante, III., 322.— ED.

And having said this they should let fall the fold out of the Belt of Wampum. We do not know how your heart is inclined you speack of and send to make peace, and at the same time you knock our people in the head, and commonly when you send for us you sharpen you Ax. They shall throw down the Belt and say;—Father, speack now.

Whatsoever answer the Ono[n]dio shall give them they shall reply only thus:—Father, the words you have spoken to us Wee shall carry to our country and consider of them; send along with us 2 French men and 2 praying Indians, and they can returne with our resolutions & carry backward and forward what shall be further proposed.

Brother Cajenquirago.

Last winter you sent a belt of Wampum by Sadegajeidon to the whole house to inform them of your arrivall at Albany, to cover it and us from the insults of the enemy, for which we heartily thank you; but that Belt came but just now to us; wee have sent it up further to Cajouge & Sinnodowannes; had that Belt been delivered in time, it would have been of great service to the publick.

Brother Cajenquirago

I will not conceal any discourse that passed between Odatsigtha & Onondio. The Onondio said:—

Child, you go now to your own Country, I am wholly inclined to peace. I would have your arm tyed to mine that hereafter we might live peaceable together.

Odatsigtha answers;—

No Father, I will not have my arm tyed to yours, because you might lift up your arm against my own people & then my arm would hang to yours.

Then the Onondio answered him[1] that he would never make warr againe with the 5 Nations. The Onondio sends for Canaghkonje[2] to go and dwell 3 years in his bosome, & in that time he will know his intentions. All this we have sent to the Upper Nations for advice, though we beleve it will not be agreeable to the whole House because the Onondio hath deceived them in this manner more than once.

Brother Cajenquiragoe.

Wee thought the 2 Mohaques which our Father sent to Canada were detained by the Onondio [and] in order to release them we had prepared a great Belt of Wampum to be sent by our messinger, but hearing they were returned we kept the Belt.

Brother Cajenquiragoe.

Wee sent lately 7 hands of wampum by Juthory (who is since killed) to desire you to assist us in the rebuilding of our Castle & have been informed by some in his company that you give us a favourable answer we hope, you have not forgot it [it] will be a very convenient time to do it when our corn is eatable; for we do not reckon that it is peace though there is discourse of it.

Upon this they give 7 hands of Wampum

DELLIUS

1 "Assured him". Original Minute in *New-York Colonial Manuscripts*, XLI.—ED.

2 This word is "Canaghkouse" in the text, but it is corrected according to the original in *New-York Colonial Manuscripts*, XLI. It is supposed to be equivalent to *Konossioni* (see ante, 78), which means The whole house, or the entire Five Nations.—ED.

Answer to the foregoing Propositions made by the Sachim of Onondagoe.

PRESENT — Collonell Schuler Major Wessells
Dellius Captaine Banker.

Brethren

That Odatsightha had brought a Belt from the Onondio out of Canada wee were informed off before by others & thereupon wee sent a Belt by Kanach-Konje the 26th of May last unto you the contents of which wee informed you off the day before yesterday to which we referr you, but we cannot anough admire that you should call a generall meeting of all the 5 Nations to consult upon the Belt sent by the Onondio & moreover that you and the Oneydis should conclude to send two messengers to treat of peace with Onondio without giving the least knowledge [thereof] to Cajenquiragoe.

Brethren

We are almost afraid to write it to Cajenquiragoe, for, besides, your entring upon such maters is a breach of your so many repeated promises not to treat with the enemy on any account, without his advice, so it is also a breach of the covenant chain made between us & you wherein it is concluded by each of us that we should assist one another in carrying on the warr, and that wee should live and dye together, and more then all this you are perticularly obliged to us, because we entered into the warr upon your accounts; for we were in peace when you were in actuall warr with him, and besides you know how Cajenquiragoe hath assisted you with amonition, provisions, &c You say that the Sinnodowanney[1] Cajouge & Mohaques were not at your meeting, but notwithstanding had left the affair wholly to you. what relates to the 2 Upper Nations we cannot say any thing to it, although we cannot believe they should so much forgett themselves, but what relates to the Mohaques they have informed us that they sent a Belt of Wampum 16 deep to you, to stopp your proceedings, at least untill Henrick and Tjerck returned from Canada, so that you cannot say that they left the matter wholly to you.

You say that Cajenquirago 2 year agoe gave you leave and perticularly you De Canassore to goe to Canada to make peace with Onondio.

Brethren

We were present at the same time; it was only by way of discourse to try your affection and if so be you would make peace because he had been informed you begged it almost upon your knees of Onendio, that you should take care that the subjects of the Great King beyond sea should not be damaged thereby. Whereupon you resolved then as you did also last year renew to Cajenquiragoe that you would not enter into any negotiations of peace with Onondio.

Besides Brethren this Belt which wee now give is wholly to put a stop [to] your intended message, & if so be you still persist in your designes (which wee cannot think you will) you shall at least stop so long untill all the Sachems of the 5 Nations do meet and consult with Cajenquiragoe at Albany.

In the mean time let us tye your armes to ours and lift them up together against the common enemy; remember what Onondio lately did to Juthory and yesterday at Schenectade and here to day, to our people.

[1] See note on page 279.—ED.

Brethren, we cannot imagine how you became so dronck in your understandings as to call Onondio your Father. Wee know no Father Onondio here, he is our and your enemy; do you call your enemy your Father, who has no other thoughts but to kill and distroy you. Our 2 Mohaques who were lately at Canada were wiser; they called him to his face no otherwise then Onondio.

What you speak of being assisted in re-building your Castle;—Brethren, you shall always find Cajenquirago very ready to do it.

What you say about the Onondios desire to have Kanack konje lodged in his bosome for 3 years that he might better know his intentions:—Brethren wee belive that the whole House long agoe knows his heart to be nought therefore not necessary for Kanack Konje to go; also we believe he is too wise to go, and that you will perswade him to the contrary.

What you say of Oneyde that its concluded there that none of them hereafter shall go live at Canada:—Brethren, Their words are very good if they are but confirmed by their deeds.

What you mention about the Belt which Cajenquirago sent by Sadegojendon last winter to you to informe you that he was come to Albany with some forces to cover us and you from the insults of Onondio and that the said Belt was but just come to your hands; Brethren—it is well done that you have sent it to the Upper Nations; therein you may see how willing readdy and carefull Cajenquiragoe is to serve us; and would the Onondio have fought with him as he threatned, he would have received him very well with powder and ball, but for the Onondio he makes a great noyse just like empty cask[s], which sound most.

Upon this they were given a Belt of Wampum.

DELLIUS

A true Copy
(signed) DAVID JAMISON Cl. Concilij.

Claim of New-York to a part of Acadia.

[Brit. Mus: Lansdowne MSS., No. 849, fol. 63.]

Extract of a Memorial from M^r^ Nelson, dated 2^d^ July 1697.

You may please to take notice that after the Surrender of Acadie unto the French, in the year 1670, by S^r^ Thomas Temple, the successive Governours of New York (did by virtue of orders from England as I suppose,) make claime unto part of said Countreys, that is to say, from Pentagoet to the River S^t^ Croix, as having of it inserted in the Duke of Yorks Patent; But the French still kept posession until Sir Edmond Andross made an attempt upon it, by summoning in one M^r^ S^t^ Costeine to acknowledge his dependence on the Crown of England;—upon whose refusal, he went with a Frigatt to Pentogoet, pillaged his house of what he found in it, but himself escaped; on which arose (by the said Costein's instigation) the Indian war with which we have ever since been infested.

Representation of Colonel Ingoldsby concerning New-York.

[Journal, X. 161.]

Whitehall July the 16th 1697

At a Meeting of His Majesty's Commissioners for Trade and Plantations

PRESENT— Earle of Bridgewater
Sir Philip Meadows
Mr Locke.

New York Ingoldsby

Colonel Ingoldsby, lately arrived from New York, attending according to summons, presented to their Lordships an Account of the Condition of the Forces there, which was read. And upon Enquiry made of him in discourse he more particularly added; That he hath been these seven years in His Majesty's service there. That the four Companies as sent from England, should have been four hundred men; but by sickness and accident by the way were lessened before they came thither. They are kept up by annual levies in the Countrey, at the great charge of that province: But there are little above half the number left of those same men that went over. Provisions are dear: And their subsistance small, So that unless the Officers assisted the Soldiers (as he himself hath done considerably) they would be ready to starve and this the Officers themselves are not able to do, but by having their Companies sometimes a little weak. This War ruins the people; The Inhabitants are decreased in number. The English and Indians when he came away, were in very good Correspondence: But the French out do us much in caressing them. About two years ago there was two hundred pounds raised for an Expedition to attack and demolish Cadaraqui, at which time it might easily have been don; And he himself was orderd upon that service with three hundred men; But afterwards countermanded. Last August the French with their Indian Friends, to the number of about Two thousand men, well armed made an Incursion into the Country of the Onondagues but soon retired. It is absolutely necessary that there be always a good force kept at Albany; New York being so far distant, that it is impossible (upon any attack) to send force from thence time enough for their assistance. The Fortifications at Albany are very much ruined: And consist of but one Stone Mount, with three Flankers; The rest are only Stockados.

He then presented to their Lordships a Draught of the Indian Country above Albany towards the great Lake on one side, and Quebec on the other.

Instructions for the Earl of Bellomont.

[New-York Entries, A. 216.]

By the Lords Justices.

Tho: Cantuar.
J. Somers. C:
Romney
Orford.

His Majestys Instructions for the Right Hon^ble^ Richard Earl of Bellomont His Maj^ties^ Capt^n^ General and Gov^r^ in chief of His Prov^ce^ of New York and the territories depending thereon in America. At the Court at Whitehall the 31^st^ day of August 1697. in the ninth year of His Maj^tys^ Reign.

Earl of Bellomont Govr of New York

With these His Majesties instructions you will receive His Maj^ties^ Commission under the great Seal of England, constituting you His Capt^n^ General and Gov^r^ in Chief of His Maj^ties^ province of New York, and the territories depending thereon in America.

To repair thither.

You are hereupon to fit yourself with all convenient speed to repair to His Maj^ties^ province of New York in America and being arrived there, you are to take upon you

And upon arrival to Assemble the Council.

the execution of the place and trust His Maj^ty^ hath reposed in you, and forthwith to call together the members of His Council for that province, by name

Councillrs names

Frederick Flypson, Stephen Cortlandt, Nicolas Bayard, William Smith, Gabriel Mienveele, Chidley Brook, William Nicolls, Thomas Willet, William Pinhorne, Peter Schuyler, John Lawrence, Richard Townley and John Young Esq^rs^.

To publish his Commission.

You are with all due and usual solemnity, to cause the said Commission under the great seal of England, constituting You His Maj's Captain General and Governour in chief as aforesaid, to be published in the said province.

To take the oaths himself and also to administer the same to the members of the Council.

You shall take yourself and also administer unto each of the members of His Maj^ties^ said Council as well as the oaths appointed by act of Parliament to be taken instead of the oaths of allegiance & supremacy, as also the test, and the oath for the due execution of your and their places of trusts, and both, you and they shall likewise subscribe the Association mentioned in a late act of Parliam^t^ Entituled: *An act for the better security of His Maj^tys^ Royal person and Government.*

To communicate to them such of His Instructions as he shall think fit—

You are to communicate unto his Maj^ties^ said Council from time to time, such and so many of his instructions as you shall find convenient for his service to be imparted unto them.

The Council to have freedom of debate and vote.

And you are to permitt the members of His Maj^ties^ Council, to have and enjoy freedome of debate and vote in all things to be debated of in Council.

Not to act with the Quorum of less than five, except upon extraordinary occasion.

And also by His Maj^ty's^ Commission aforesaid he hath thought fit to direct, that any three of the Councillors make a quorum. It is nevertheless His Maj^ties^ will and pleasure. that you do not act with a Quorum of less than five members except in case of necessity.

To transmit the names and Character of six persons fit to supply the vacancies in Council.

And that His Maj^ty^ may be always informed of the names of persons fit to supply the vacancies of His Council in New York, you are to transmitt unto His Maj^ty^ and the Commissioners for trade and foreign Plantations with all convenient speed, the names and characters of six persons inhabitants of the said province and territories whom you shall esteem the best qualified for that trust, and so from time to time

And when any of them shall dye to name others to His Majty in their stead.

when any of them shall dye, depart out of the said Province, or become otherwise unfit, you are to supply the first number of six persons by nominating others to His Majesty in their stead.

To send to the King and Commissrs for trade and Plantations the names and qualities of the members appointed to be the Councillors.

You are from time to time to send to send His Majᵗʸ and Commissioners for Trade and Plantatⁿˢ the names and qualities of any members by you put into the said Council, by the first conveniency after your so doing.

To take care that the Councillrs be men of Estates and abilities etc.

In the choice and nomination of members of His Majᵗʸˢ Council, as also of the principal Officers, Judges, Assistants Justices, and Sheriffs, you are always to take care that they be men of estate and ability, and not necessitous people or much in debt, and that they be persons well affected to His Majᵗⁱᵉˢ Governᵗ

Not to suspend any of the Council without good cause and to transmit the reasons etc for his so doing.

You are not to suspend the members of His Majᵗʸ'ˢ Council without good and sufficient cause, and in case of suspension of any of them, you are forthwith to transmit unto His Majᵗʸ and to the said Commissʳˢ your reason for so doing, together with the charge and proofs against the said persons and their answers thereunto.

To send authentick copies of Laws etc.

You are to transmit Authentic copies under the publick seal of all Laws, Statutes and ordinances, which at any time shall be made or enacted within the said province, unto His Majᵗʸ and the Commissioners aforesaid, within three months or sooner after their being enacted, together with duplicates thereof by the next conveyance, upon pain of His Majᵗⁱᵉˢ high displeasure, and of the forfeiture of that years Salary wherein you shall at any time or upon any pretence whatsoever, omit to send over the said laws and ordinances as aforesaid, within the time above limited.

Rules abt acts for raising money —

You are not to pass any act or order in any case for levying money, or inflicting fines and penalties, whereby the same shall not be reserved to His Majᵗʸ for such publick uses as by the said act or order shall be directed. And His Majᵗʸ does particularly require and command, that no money or value of money whatsoever be given or granted by any act or order of Assembly, to any Govʳ Lieutᵗ Govʳ or Commander in Chief of his said province, which shall not according to the stile of acts of Parliamᵗ in England, be mentioned to be given and granted unto His Majᵗʸ, with the humble desire of such Assembly, that the same be applyed to the uses and behoof of such Governʳ Lieutⁿᵗ Governʳ or commander in chief if His Majᵗʸ shall so think fit, or if he shall not approve of such gift or application, that the said money or value of money be then disposed of and appropriated to such other uses as in the said act or order shall be mentioned, and that from the time the same shall be raised it remain in the hands of the Collector or receiver of the said province, until His Majᵗʸˢ pleasure shall be known therein.

Not to come to Europe without his Majtys express leave

And for as much as great prejudice may happen to His Majᵗⁱᵉˢ service and the security of the said province, by your absence from those parts, for prevention thereof, you are not to presume upon any pretence whatsoever to come to Europe without having first obtained leave for so doing from His Majᵗʸ under his sign manual and signet or by his order in his privy Council.

Upon his absence from the territories of New Engld and N. York one half of the salary which would become due to him during such absence to be allow'd to the Lt Govr

And as His Majᵗʸ is willing in the best manner to provide for the support of the Governᵗ of his said Province by setting apart sufficient allowances to the Lieutᵗ Govʳ or commander in chief residing for the time being within the same. His Majᵗʸˢ will and pleasure is, that when it shall happen that you shall be absent from the territories of New England and New York, of which His Majᵗʸ hath appointed you Govʳ full one moiety of the salary and of all perquisites and emoluments

which would otherwise become due unto you, shall during the time of your absence from all the said territories, be paid and satisfied unto such Lieut[t] Gov[r] or Commander in Chief, who shall be resident upon the place for the time being, which His Maj[ty] does hereby order, and allot unto him for his better maintenance, and for the support of the dignity of that Govern[t]

Publick money to be issued by his warrt with advice of the Council.

You shall not suffer any publick money whatsoever to be issued or disposed of otherwise then by warrant under your hand, by and with the advice and consent of the Councill.

Accts of the Revenue attested by him to be transmitted half-yearly

You are to cause the accounts of all such money or value of money attested by you, to be transmitted every half year, to the Commissioners of His Maj[tys] treasury or the high Treasurer for the time being, and to the Commiss[rs] for Trade and Plantations, wherein shall be specified every particular sûm raised or disposed of, together with the names of the persons to whom any payment shall be made, to the end, His Maj[ty] may be satisfied of the right and due application of the revenue of his said province and the territories depending thereon.

Not to remit fines and forfeitures, nor dispose of Escheats without His Majtys direction

You shall not remit any fines or forfeitures above the sum of ten pounds before or after the sentence given, nor dispose of any Escheats whatsoever until you shall have first signified unto his Majesty the nature of the offence or the occasion of such fines, forfeitures and escheats with the particular sûms or value thereof which you are to do with all speed unto the Commissioners of His Maj[ty] Treasury or the high Treasurer for the time being and to the Commissioners for Trade and plantations, and until you shall have received His Maj[tys] directions therein, but you may in the mean time respite the payment of the said fines and forfeitures.

To pass no law etc that may lessen the Revenue.

And you are, particularly, not to pass any law or do any act by grant settlement or otherwise, whereby His Maj[tys] revenue may be lessened or impaired, without his especial leave or command therein.

The Secrty to provide copies of the Acts etc to be transmitted.

You are to require the Secretary of the said Province or his deputy for the time being, to provide transcripts of all such acts and publick orders as shall be made from time to time together with a copy of the Journals of the Assembly, to the end, the same may be transmitted unto the Commiss[rs] for Trade and foreign Plantations, which he is duly to perform upon pain of incurring the forfeiture of his place.

To transmit a map of the territory under his Govern[t]

You shall transmitt unto His Maj[ty] by the first opportunity a map with the exact description of the whole territory under your Govern[t] with the several plantations upon it and of the fortifications —

To send a list of all Officers etc. and an account of the present revenue—

You are likewise to send a list of all officers employed under your Govern[t] together with all publick charges and an account of the present revenue, with the probability of the increase or diminution of it under every head or article thereof.

Not to displace officers without a cause—

You shall not displace any of the Judges, Justices, Sheriffs or other Officers or Ministers within the said province of New York, without good and sufficient cause to be signified unto His Majesty and to the Commiss[rs] for Trade and Plantations and in the appointment of Judges and Justices of the peace, you are not to express any limitation of time in the Commissions which you are to grant to fit persons for those employments, nor shall you execute yourself or by Deputy any of the said Offices nor to suffer any person to execute more Offices than one by Deputy.

Not to execute any of the said offices by himself or Deputy nor any other person to execute more than one by Deputy.

Not to dispose of Patent Offices.

You shall not by colour of any power or authority, grant[ed] or mentioned to be granted unto you, take upon you to give, grant or dispose of any office, or place,

within the said province which is or shall be granted under the great seal of England, any further, than that you may upon the vacancy of any such office or place, or suspension of any such Officer by you, put in any person to officiate in the interval, until you shall have represented the matter unto His Majᵗʸ, which you are to do by the first opportunity, and that his pleasure be thereupon signified unto you.

Not to establish any new Court or Office etc.

You shall not erect any Court or Office of Judicature not before erected or established without His Majᵗʸˢ especial order.

To transmit an account of all courts Offices etc.

You are transmit unto his Majᵗʸ with all convenient speed, a particular account of all establishments of Jurisdictions, Courts, Offices & Officers, Powers, Authorities, Fees and priviledges granted or settled within the said province, to the end, you may receive His Majᵗʸˢ especial direction therein.

To regulate salaries and fees etc.

You shall likewise take especial care with the advice and consent of the said Councill, to regulate all salaries and fees belonging to places and paid upon emergencies, that they be within the bounds of moderation and that no exaction be made upon any occasion whatsoever.

Court of Exchequer.

Whereas it is necessary that all His Majesties rights and dues be received and recovered, and that speedy and effectual Justice be administred in all cases concerning his Majᵗⁱᵉˢ revenue, you are to take care that a court of Exchequer be called, and to meet at all such times as shall be needfull, and you are to inform His Majᵗʸ and the Commissʳˢ for Trade and Plantations upon your arrival at New York, whether his service may require that a constant Court of Exchequer be settled and established there.

The sole power of impressing of seamen vested in him—

And whereas upon complaints that have been made to His Majᵗʸ of the irregular proceedings of the Captⁿˢ of some of his ships of war in the impressing of seamen in several of his plantations, his Majᵗʸ hath thought fit to order and hath given directions to the Commissioners of the Admiralty accordingly, that when any Captⁿ or Commander of any of his ships of war, in any of his said plantations shall have occasion for seamen to serve on board the ships under their command, they do make their application to the Governours and Commanders in chief of his Majᵗⁱᵉˢ Plantations respectively, to whom as Vice Admirals his Majᵗʸ is pleased to commit the sole power of impressing seamen in any of his plantations in America, or in sight of any of them. You are therefore hereby required upon such application made to you by any of the commanders of His Majᵗʸˢ said ships of war within his province of New York and the territories thereon depending, to take care, that his said ships of war be furnished with the number of seamen, that may be necessary for His Majesties service on board them from time to time—

To furnish his Majtys ships with men as there shall be occasion.

Religion Ministers Churches.

You shall take especial care that God Almighty be devoutly and duly served throughout your Governᵗ, the book of common prayer as it is now established read each sunday and holyday, and the blessed sacrament administred according to the rights of the Church of England. You shall be carefull that the Churches already built there, be well and orderly kept, and more built as the Colony shall by Gods blessing be improved, and that besides a competent maintenance to be assigned to the Ministers of each Orthodox church, a convenient house be built at the common charge for each minister, & a competent proportion of land assigned him for a Glebe and exercise of his industry.

Parishes to be limited and settled.

You are to take care that the Parishes be so limited and settled as you shall find most convenient for the accomplishing this good work.

No Minister to be preferred to any ecclesiastical benefice without a certificate from the Bp. of London

His Majesty's will and pleasure is that no Minister be preferred by you to any ecclesiastical benefice in that province, without a certificate from the Right Rev^d the Bishop of London, of his being conformable to the Doctrine and discipline of the Church of England, and of a good life and conversation—

Any Minister giving scandal to be removed.

And if any person preferred already to a benefice shall appear to you to give scandall either by his doctrine or manners, you are to use the best means for the removal of him and to supply the vacancy in such manner as His Maj^ty hath directed.

Ministers to be admitted into vestries.

And also His Maj^ty's pleasure is, that in the direction of all Church affairs, the Minister be admitted into the respective vestries.

To Collate the benefices, grant lycenses for Marriages etc.

And to the end, the Ecclesiastical Jurisdiction of the said Bishop of London may take place in that province as far as conveniently may be, His Maj^ty does think fit that you give all countenance and encouragement to the exercise of the same, excepting only the colating of Benefices, granting Lycenses for Marriages and probate of Wills which is reserved to you His Maj^ties Governour and to the Commander in chief of his said province for the time being.

Table of marriages to be hung up in Churches—

You are to take especial care that a table of marriages, established by the Cannons of the Church of England, be hung up in all the orthodox Churches and duly observed.

No school master to keep school without a lycence from the Bishp of London.

His Majesty does further direct that no schoolmaster be henceforth permitted to come from England, and to keep school within his Province of New York, without the lycence of the said Bishop of London, and that no other person now there, or that shall come from other parts, be admitted to keep school without Your Lycence first had.

To punish drunkeness and debauchery.

You are to take care that drunkeness and debauchery, swearing and blasphemy be severely punished, and that none be admitted to publick trust and employment whose ill fame and conversation may bring scandal thereupon.

To proceed by law.

You are to take care that no man's life, members, freehold or goods be taken away or harmed in the said province, otherwise than by established and known laws.

To administer the oaths to all publick officers.

You shall administer or cause to be administred the oaths appointed by act of Parliament to be taken instead of the oaths of allegiance and supremacy as also the test, to the members and officers of the Council, to all Judges, Justices, and all other persons that hold any office in the said province, by virtue of any patent under His Maj^ty's great seal of England, or the seal of this province of New York, and likewise require them to subscribe the forementioned Association—

To permit liberty of conscience to all but Papists.—

And you are to permit a liberty of conscience to all persons (except Papists) so they be contented with a quiet and peaceable enjoyment of the same, not giving offence or scandall to the Government.

Orders about the Militia.

You shall take care that all Planters and Christian servants be well and fitly provided with arms, and that they be listed under officers, and when, and as often as you shall think fitt, mustered and trained, whereby they may be in a better readiness for the defence of the said province under your Government.

Not to make frequent and unnecessary marches.

And you are to take especial care that neither the frequency nor unreasonableness of remote marches, musters and trainings, be an unnecessary impediment to the affairs of the Inhabitants.

To transmit yearly an account of the arms ammunition etc.

You shall take an inventory of all Arms, Amunition and stores remaining in any of His Majᵗʸ's Magazines or Garrisons in his said province, and of those now sent thither, and transmit an account of them yearly to His Majᵗʸ, by one of his principal Secretaries of State, and to the Commissʳˢ for trade and Plantations.

To demand an acct of stores lately sent etc.

You are also to demand an account of the stores of war lately sent thither, according to the list of stores you will herewith receive, and of what other arms and amunition have been bought with the publick monys or otherwise for the service of the said Province, and the same to transmit unto His Majᵗʸ as aforesaid.

To settle publick store houses.

You are to take especial care that fit store houses be settled throghout the said Province, for receiving and keeping of arms, ammunition and other publick stores.

To erect Forts, fortifications etc.

Whereas it hath been represented unto His Majᵗʸ, that it will be necessary to enlarge the fortifications of Albany and to make others at Schenectade to prevent the incursions of the French and their Indians from Canada, you are with the advise of the Council to raise such Forts, Castles or Platforms at Albany, Schenectade or other places within your Governᵗ as you shall find requisite for this service; Provided the charges thereof be defrayed out of His Majᵗⁱᵉˢ revenue in New York, or by contribution of the inhabitants.

To assist any of the neighbouring Plantns in distress.

In case of distress in any of His Majesty's Plantations, you shall upon application of the respective Governtˢ thereof to you, assist them with what aid the condition and safety of your Government can permit.

Due entries to be made of goods exported and imported and copies thereof yearly to be transmitted—

And that His Majᵗʸ may be the better informed of the trade of His said province, you are to take care, that due entries be made in all ports of all goods and commodities imported and exported from thence and from and to what places they come and goe, and that a yearly account thereof be transmitted by you unto His Majᵗʸ by one of His principal Secretaries of State, or to the Commissioners of his Treasury or high Treasurer for the time being, and to the Commissioners for Trade and foreign Plantations.

To give an account of the strength of the boardering neighbours.

You are from time to time to give an account as aforesaid, what strength your bordering neighbours have (be they Indians or others) by sea and land, and what correspondence you do keep with them.

No innovation within the River of New York nor goods to pass up the same but what shall have paid the duties at N. York

And whereas His Majᵗʸ is informed that some of the Colonies adjoining to his said province under Colour of Grants, or upon some other groundless pretences, endeavour to obstruct the Trade of New York and Albany, you are not to suffer any innovation within the River of New York, nor any goods to pass up the same, but what shall have paid the duties at New York, to the end the chief benefit of that trade may be preserved to the Inhabitants and traders of New York and Albany, the same being agreable to the laws of the said Province, to former practice as well as necessary for the collecting those customes and other duties which are to be raised for the support of His Majesties Governᵗ there; and in case you find the Inhabitants of East Jersey have any other way of Trading with the Indians, than by the said River of New York; you are to use your endevours to prevent the same, and to give his Majᵗʸ advice thereof with your opinion what is proper to be done therein.

To prevent any trade between East Jersey and the Indians other than by the river of New York.

To encourage the Indians.

You are to encourage the Indians upon all occasions, so as they may apply themselves to the English trade and nation rather than to any other of Europe.

To Assemble the Five nations of Indians.

And you are to call before you the Five nations or Cantons of Indians vizᵗ: the Maquaes, Sinecas, Cayouges, oneids and Onandages, and upon their renewing

their submission to His Majtys Governt you are to assure them in his name, that he will protect them as his subjects against the French King and his subjects, and when any opportunity

To purchase lands for His Majty from them

shall offer, for purchasing great tracts of land for his Majty from the Indians for small sums, you are to use your discretion therein as you shall judge for the convenience or advantage which may arise unto His Majty by the same.

To suppress the ingrossing of comodities and to regulate commerce.

You are to suppress the ingrosing of commodities, tending to [the] prejudice of that freedome which commerce ought to have, and to settle such orders and regulations therein with the advice of the Council as may be most acceptable to the inhabitants.

To Encourage merchts

You are to give all due encouragements and invitation to Merchants and others, who shall bring trade unto the said province, or any way contribute to

Particularly the African Compy.

the advantage thereof, In particular to the Royall African company of England.

To observe the Treaty at Madrid in 1670 between Engld and Spain—

You are carefully to observe all the Articles contained in the Treaty for composing of differences restraining depredations and establishing of peace in America, concluded at Madrid the $\frac{8}{18}$ day of July 1670 with the Crown of Spain, an Authentick copy whereof you will herewith receive. And in case of any private injury or

To inform His Majty if any injury be offer'd to his subjects and not to permit reparations.

damage which shall be offered or done, to any of His Majtys subjects in those parts by the subjects of the King of Spain or any other province or state in amity with His Majesty, you shall take care to give his Majty an account thereof with all convenient speed, and not to permit or encourage reparations thereof to be sought any other way then what is directed and agreed on by the said Treaties.—

To get a law past for qualifying men as Jurors.

Whereas His Majty thinks fit for the better Administration of Justice that a law be passed, wherein shall be set the value of Men's estates either in Goods or Lands, under which they shall not be capable of serving as Jurors; You are therefore by the first opportunity of transmitting any laws hither for His Majtys approbation, to prepare and send one to that purpose.

To endevour the conversion of the negroes and the Indians to the Christian Religion

You are with the Assistance of the Councill, to find out the best means to facilitate and encourage the conversion of Negroes and Indians to the Christian Religion.

To build work houses for imploying the poor

You are to endevour with the Assistance of the Councill to provide for the raising and building of publick workhouses in convenient places for the employing of poor and indigent people.

The Govrs salary.

His Majtys will and pleasure is, that you do take to yourself as Governour, the sum of four hundred pounds per annum, out of the revenue arising in his said province, and

Lt Govr's salary

that you cause to be paid out of the said revenue to His Majty Lieutt Govr the sume of two hundred pounds pr annum, as likewise to the several officers both civil and military,

Salaries of Officers.

such salaries and allowances as have been annually paid unto them, until you shall receive His Majtys further directions therein.

No alteration to be made in the value of the currant coyne

You shall not upon any pretence whatsoever, permit any alteration to be made in the value of the current coyne, either foreign or belonging to His Majtys dominions, without having first signified unto His Majty the reasons for so doing, and received His pleasure therein —

Writs to be issued in His Majty's name.

You are to take care that all writts be issued in His Majtys Royal name throughout his said province and the territories depending thereon.

No printing press to be kept without his Licence—

For as much as great inconveniences may arise, by the liberty of printing within the province of New York, you are to provide all necessary orders, that

no person keep any press for printing, nor that any book, Pamphlet or other matters whatsoever be printed, without your especial leave and licence first obtained.

Mr Levingston's case recommended.

Whereas Robert Levingston an inhabitant of the said province of New York did in the year 1695. humbly lay before His Majᵗʸ several petitions and memorials relating to sums of money with interest thereupon, pretended to be due unto him for disbursements (and otherwise) upon account of publick service in that province, and relating also to certain offices and employments, upon all which His Majᵗʸ then gave directions by several particular orders in Councill according to the subject matter of each demand, but the Governor and Councill of that province, to whom the examination of his said demands were referr'd, have thought it fit for His Majᵗʸˢ service, to defer the execution of his foresaid orders, until upon further information His Majesty should be pleased to give further directions therein; His Majᵗʸˢ will and pleasure therefore is: that you, (together with his said Councill of that Province) do enquire and examine particularly as well into all the said Robert Levingstons demands, upon which the foresaid orders were grounded, as into the reasons that have hitherto induced the foresaid Governʳ & Councill, to defer their complyance therewithall, and that you report to His Majᵗʸ your opinion upon the whole matter.

To do anything for the advantage of the Province

And if any thing shall happen that may be of advantage and security to the said province, which is not herein or by His Majᵗʸˢ Commission provided for, His Majᵗʸˢ will and pleasure is, that with the advice and consent of His Councill, you take order for the present therein, giving speedy notice thereof, that so you may receive, His Majᵗʸˢ ratification if he shall approve of the same, Provided always, that you do not by collour of any Power or Authority hereby given you, commence or declare War, without His Majᵗᵉˢ knowledge and command therein, except it be against Indians upon emergencies, wherein the consent of the Councill shall be had, and speedy notice given thereof unto His Majᵗʸ; And you are upon all occasions, to send unto His Majᵗʸ, by one of his principal Secretaries of State, and the Commissioners for Trade and Foraign plantations, a particular account of all your proceedings, and of the condition of affairs within your Government.

But not to declare war without His M's command except agst the Indians upon emergencies.

The laws relating to the Plantations and the Trade thereof to be punctually observed.

And whereas the Lords Spiritual and Temporal in Parliament, upon consideration of the great abuses practised in the Plantation trade, have by an humble address lately represented to His Majᵗʸ, the great importance it is of, both to His Majᵗʸˢ kingdome and to his Plantations in America, that the many good laws, which have been made for the Governᵗ of the said plantations, and particularly the act passed in the 7ᵗʰ and 8ᵗʰ years of His Majᵗʸˢ reign, entituled—*An act for preventing frauds and regulating abuses in the Plantation Trade*, be stricktly observed; you are therefore to take notice, that whereas notwithstanding the many good laws made from time to time, for preventing of frauds in the Plantation trade, it is nevertheless manifest, that very great abuses have been and continue still to be practised to the prejudice of the same, which abuses must needs arise either from the insolvency of the persons who are accepted for security, or from the remissness or connivance of such as have been or are Governors in the several Plantations, who ought to take care that those persons who give bond should be duly prosecuted in case of nonperformance. His Majᵗʸ takeing the good of his Plantations, and the improvement of the Trade thereof, by a strickt and punctual observance of the several laws in force concerning the same, to be of so great importance to the benefit of this his kingdome, and to the advancing of the duties of his Customes here, that if he shall be hereafter inform'd that at any time there shall be any failure in the due

observance of those laws within the foresaid province of New York and the territories thereon depending, by any wilfull fault or neglect on your part, His Majᵗʸ shall look upon it as a breach of the trust reposed in you by him, which he shall punish with the loss of your place in that Governᵗ and such further marks of his displeasure, as he shall judge reasonable to be inflicted upon you for your offence against His Majᵗʸ, in a matter of this consequence, that he now so particularly charges you with.

To give due encouragement to the officers of the Admiralty and customs.

And whereas His Majᵗʸ has given orders for the Commissionating of fit persons to be vice Admirals and Officers of His Admiralty and Customs in His several plantations upon the Continent of America and particularly within his dominions of New England and New York, His Majᵗʸ does therefore hereby will and require you, to give all due Countenance and incouragement, unto the said Officers of his Admiralty and Customes in the execution of their respective Offices & trusts in all the places under your Governᵗ

By their Excellencies command.

JAMES VERNON

Additional Instructions to the Earl of Bellomont.

[New-York Entries, A. 245.]

By the Lords Justices.

Tho: Cantuar
J. Somers C.
Romney
Orford.

His Majestys additional Instructions for the Right Honᵇˡᵉ Richᵈ Earl of Bellomont His Majᵗⁱᵉˢ Captⁿ General and Govʳ in Chief of His province of New York and the territories depending thereon in America — At the Court at Whitehall the 9ᵗʰ day of Septʳ 1697 in the ninth year of His Majᵗʸˢ reign.

His Majesty having taken into His consideration which of your Governments in America you should first repair to, and being satisfied that your going to New York should not be delayed, by reason that is the frontier province the most exposed to the Enemy, which will therefore more immediately require your care to settle everything there in a fitting posture, either for the defence of the Country or for anoying the Enemy. His Majᵗʸ hath thought fit hereby, to order, that you go accordingly directly to New York, unless after your departure from hence you shall meet with advices that may more necessarily oblige you to repair to any other of your Governᵗˢ in which case it is left at your liberty to repair to any other of your Governᵗˢ before your going to New York.

By their Excellencies command

JAMES VERNON.

Governor Fletcher to the Lords of Trade.

[New-York Entries, A. 296.]

May it please Your Lordships.

Since my last of the 22 of June and 2d of July copyes whereof are now sent, I have received no further commands from Your Lordps.

A shipp from Engld taken by the French and carried to Canada.

A Brigantine, one Cales Master bound from England hither with a cargoe of the value of £6000 was taken by a French privateer and carried into Canada; the French Govr was kind to the prisoners and gave them provisions and things necessary and let them travell to Albany, whereupon by the advice of the Council, as well to maintaine fair quarter, as to ease the province of the charge of some old men and women, that were taken by our Indians, I set so many at liberty with necessaries for their journey to Canada.

The men well treated and sent to Albany with provisions etc.

Upon which Coll: Fletcher releases so many French.

He transmits a copy of the last Indian propositions—

I have taken this opportunity of the Pinke New York Merchant, which proceeds without convoy, to pay the duty I owe your Lordships to remit the copy of the latest Indian propositions and to give your Lordps an account that this province is in safety, and that our Indians of Albany have had the advantage of the French of Canada both as to death & prisoners this summer.

The Albany Indians have had advantage of the French this last summer.

The Earl of Bellomont is expected with clothing for the soldiers

We have long since heard the Earl of Bellomont is commissionated for the Governt of this Province and that of New England, and has been expected all the months of July and August, and that the Foy frigatt is appointed for the relief of the Richmond in which is expected cloathing for the four companies here, who are in great want but have no account yet either of the Earl or the ship, which is a great obstruction of affairs, the common people being of opinion that there will be no taxes for carrying on the war, when the Earl arrives but on the contrary, and that all that is raised will be repaid them.

He has paid the victuallers staff & warrt officers to the 1st of May last there is yet six months due.

He cannot get money for the subsistence of the Soldrs, another now being appointed Governour

The Councils proceedings thereupon—

I have cleared off the Victuallers and Staffe and Warrant Officers, to the 1st of May, there is six months due to them the 1st inst: another being appointed Govr I cannot have money upon bills for the subsistance; I did call together the Councill and laid the matter before them who have agreed that if the Victuallers do raise money upon interest to answer a further supply of provisions for the ensuing winter, they will order the payment of Interest out of the Revenue. I doubt it will prove difficult to raise money upon that order. I hope the Earl will soon arrive, if the cloathing does not come suddenly, there is no hope of getting them up to Albany this Winter, and the men are in extreeme want.

Soldiers in want.

He has sent 500£ of the Country's mony for the Soldiers at Albany.

I have on the tenth instant sent up £500 of the Countreys money towards the relief of the Soldiers, which will be of some help, and should have been there as I was last winter, were it not for the daily expectation I have of being recalled.

Mr Stoughton Lt Govr of the Massachusets keeps a constant correspondence with him.

The Lieut Govr of Boston keeps a constant friendly correspondence with me, he sent me a copy of your Lordps directions to him for giving assistance to Coll: Gibson in Newfoundland, and because the inhabitants of Boston have great part of their bread from hence and have been in great necessity, he wrote to me to perform the said order, which I communicated to the Councill who all agreed, that the Merchants of this City should be convened, and the letter and your Lordps directions communicated which was done, whereupon three vessels were

Upon a coppy of the Council of Trades letter to Mr Stoughton for Assistance to Newfoundland 3. vessells were dispatched from New York with provisions.

quickly dispatched full of provisions to Newfoundland whereof we have advice the two first are arrived.

The province much improved these last five years.

My chiefest endevour, as it always has been is to assert my duty to His Majesty in studying the safety of the province, and I blesse God, my endevours have not been ineffectual; It has improved more in building and Trade these last five years, than in many years before, which I shall be able to demonstrate to your Lord^{ps} when it shall please God to bring me to my native Country of England, and to justify myself as to my loyalty and honesty. I am may it please Your Lord^{ps}— Your Lord^{ps} most obedient and most faithful humble servant.

BEN FLETCHER

New York Novem^{br} 16. 1697.

Messrs. Schuyler, Dellius and Wessells to Governor Fletcher.

[New-York Papers, A. B. B.34.]

May it pleas Your Excêll:

Three Sachims and sev^{ll} Capt^{s} of the Coyougers Nation come to Albany and made y^{e} following proposalls.

PRESENT — Coll. P. Schuyler
Dellius
Major Wessells

Brethren

Wee come here to lay before you our poverty and that wee are menaced by the French and Twightwicks Indians,[1] both our enemies.

Wee beg that you'l please to assist us with powder and lead that we may be capasitated to defend our selves and anoy y^{e} enemy.

They lay down two otters and four beavour skins.

Brethren

Wee are sorry to have it to tell you the loss of our brethren the Sinnikes suffer'd in an engagement wth y^{e} Twichtwichts Indians; our young men kill'd severall of the enemy, but upon their retreat some of their Cheife Capt^{s} were cut off.

You know our custome is to condole y^{e} dead by wampom, therefore we desire you give us some for these Beavours; soe laid down ten Beav^{r} skins. The wampum was imediatly given them for the said skins, and the day following appointed for a conferance upon the first proposition made by them for powder & lead &^{c}

The next day wee accordingly mett, and the said Sachems and Capt^{s} being present wee adressed ourselves to them saying;— You desire of us powder and lead, what occasion have you for those necessaries of warr, or how can you aske for such assistance from us when in the mean time you have prively sent messengers to the French Gov^{r} of Canida (our enemy and

[1] Called by the French, Miamies.— ED.

yours) with Belts of Wampum, desireing to make a peace. Whereupon the said Sachims and Capt^{s} reply'd that they were wholy ignorant of y^{e} matter and had no hand in it, directly or indirectly, or ever heard of such a thing till they arrived at Onnondage (upon their journy hether) where they were informed that messengers were sent to Canida from thence, but with no design or intent of peace, but purely to delude that Gov^{r} and to gaine time that their young men might hunt in safety.

And as for their own parts they assured us that they would never make peace or agree to it w^{t} the French Gov^{r} of Canida, without the consent and good likeing of Cayinquiragoe and the whole *Canossioone, and that they would always keep bright and clean the Covenant Chain wth Cayinquiragoe and never suffer any rust to grow upon it.

*The 5 Nations.

Upon which wee gave them fifty pounds of powder and soe much lead of the late stores sent up by your Excêll. for that purpose, as alsoe some rum to Cheir up their hearts.

With submission to your Excêll. wee thought it proper to put some notions in the heads of those Indians to keep them warme in the warr, and that Canida might bee alsoe in an allarme of a design on that place this winter; therefore desired that each nation should furnish us with twenty pair of snow shoes about Christmas time; upon which we gave them seaven hands of wampum to communicate the same to all the 5 Nations.

Two days after wee dispatched these Indians there arrived with us at Albany three Sinnikes Sachems and brought to Coll. Schuyler four Beav^{r} skins, desireing they might have wampum for them; which they had; who assured us the same as the afore mentioned Cayugers.

Wee are further to inform yo^{r} Excêll: that wee design to dismiss the Bushlopers, their service being cheifly in the sûmer. Wee engaged to pay them when discharged, which wee shall doe by our particullar bonds, if money be not remitted soe timely as to answere the same; which wee doe not doubt Your Excêll. directions in, when is paid by the country; being witness of your Excêll: tender care of the whole Province in gen^{ll} and this fronteers in particullar, and allsoe your Excêll. prudent conduct in the managem^{t} of affairs with the Five Nations, keeping them firm to his Maj^{ties} interest to this very day, notwithstanding their many waverings occasioned by the tediousnesse of the war and the bribes and treats of the French of Canida.

Wee have not to add, but shall be always ready and cheirfull to observe your Excêll. cômands and remain

Your Excellencys
Most humble & obedient servants
P^{r} Schuyler
Dellius
Dirk Wessells.

N. Albany, the
28 Sept^{r} 1697

A true Copy
(signed) David Jamison Cl. Concilij.

Earl of Bellomont to the Lords of Trade.

[New-York Entries, A. 303.]

To the Right Hon^ble^ the Lords Commissioners of the Council of Trade & Plantations.

My Lords.

I have had the misfortune to be driven off the coast of New York by violent storms, which broke our shrouds, and other parts of our Rigging, insomuch, as the Capt^n^, and other Officers of the ship, fearing our main mast would come by the Board, bore away to Barbados where we arrived the 5^th^ inst: and find the Island very healthy. Our ship was weakly mann'd, which was one reason why our Capt^n^ thought it necessary to bear away, for by the men's continual labour during the bad weather, which I believe lasted a fortnight, they were so wearied out, that we had not hands enough to work the ship; besides we had not a sufficient stock of water to last as much longer. Since my arrival here a Boston Ship (bound thither from the Maderas) came in hither, having been driven off the coast of New England by the same storme that made us beare away.

Within four or five days after our leaving England we were separated from our transport ships, and the rest that came under our convoy by hard weather, tho' we made as little saile, as we could to bear them company.

It has been no small disturbance to me to miss of getting into New Yorke, but I will endevour to redeem this losse of time when I come thither, by a more than ordinary application to the business of that Country, and especially to the exact performance of your Lordships Commands and Instructions.

I am with respect.
My Lords,
Your Lordships most humble and
faithful servant,
BELLOMONT.

Jan^ry^ 8, 1697.

Our Capt^n^ promised to refit the ship by the 7^th^ of next month, when we intend, God willing, to saile again for New Yorke.

Mr. Penn's Plan for a Union of the Colonies in America.

[Plantation General Entries, XXXIV A. 102.]

A Briefe and Plaine Scheam how the English Colonies in the North parts of America Viz: Boston Connecticut Road Island New York New Jerseys, Pensilvania, Maryland, Virginia and Carolina may be made more usefull to the Crowne, and one anothers peace and safty with an universall concurrence.

1^st^. That the severall Colonies before mentioned do meet once a year, and oftener if need be, during the war, and at least once in two years in times of peace, by their stated and

appointed Deputies, to debate and resolve of such measures as are most adviseable for their better understanding, and the publick tranquility and safety

2. That in order to it two persons well qualified for sence sobriety and substance be appointed by each Province, as their Representatives or Deputies, which in the whole make the Congress to consist of twenty persons.

3. That the Kings Commissioner for that purpose specially appointed shall have the Chaire and preside in the said Congresse.

4. That they shall meet as near as conveniently may be to the most centrall Colony for ease of the Deputies.

5 Since that may in all probability, be New York both because it is near the Center of the Colonies and for that it is a Frontier and in the Kings nomination, the Gov^{r} of that Colony may therefore also be the Kings High Commissioner during the Session after the manner of Scotland.

6. That their business shall be to hear and adjust all matters of Complaint or difference between Province and Province. As 1st where persons quit their own Province and goe to another, that they may avoid their just debts thô they be able to pay them, 2^{d} where offenders fly Justice, or Justice cannot well be had upon such offenders in the Provinces that entertaine them, 3^{dly} to prevent or cure injuries in point of commerce, 4th, to consider of ways and means to support the union and safety of these Provinces against the publick enemies In which Congresse the Quotas of men and charges will be much easier, and more equally sett, then it is possible for any establishment made here to do; for the Provinces, knowing their own condition and one anothers, can debate that matter with more freedome and satisfaction and better adjust and ballance their affairs in all respects for their common safty.

7^{ly} That in times of war the Kings High Commissioner shall be generall or Chief Commander of the severall Quotas upon service against the Common enemy as he shall be advised, for the good and benefit of the whole.

The Lords of Trade to the Earl of Bellomont.

[New-York Entries, A. 299.]

To the Right Hon^{ble} the Earl of Bellomont Capt^{n} General and Commander in Chief of His Maj$^{ty's}$ Province of the Massachusetts Bay, New-York and New-Hampshire, and of the territories thereupon depending ettc, or to the Commander in Chief of His Maj$^{ty's}$ Province of New-York for the time being.

My Lord.

The letters we have writt to your Lord^{p} since your departure from England, have been dated the 12th & 30th Nov^{r} and 15th Dec^{r} last, of all which duplicates having been sent by different Conveyances, we think it not needful to repeat any thing of the Contents thereof—

His Majty's Proclamn

We now herewith send your Lordship His Maj$^{ty's}$ Proclamation of the 28th of the last month prohibiting his subjects to enter into the service of foreign princes and States, that you may cause it to be published in the usual places of His Maj$^{ty's}$

province of New York, and as much as in you lies take care that His Majᵗʸ's pleasure therein expressed be duly observed, and the transgressors thereof punished, and we having sent at the same time other proclamations of the same tenour to the Massachusetts Bay and New Hampshire with the like directions, your Lordᵖ may please thereupon to give unto each of His Majᵗʸ's Lieutᵗ Governors there, what further orders may be necessary for the better observance thereof.

Two letters, one to Connecticutt, the other to Rhode Islands.

We send you likewise herewithall two letters one to the Governor and Company of Connecticutt another to the Govʳ & Compʸ of Rhode Island, the contents of both which being alike according to the copy thereof which is also here enclosed for your Lordᵖ's perusal, we desire your Lordᵖ to send them forwards, and if either of those Governᵗˢ make any difficulty in complying with what we have required of them, in relation to the Acts of their respective General Assemblies or laws to give us an account thereof, and how you conceive they may be best removed.

Agents.

There is one thing very usefull, practised by some of His Majᵗʸˢ Plantations, which is: to have some persons, constantly residing here as Agents whom we may call upon for further information as may be requisite upon occasion; the want whereof has occasioned delays in publick affairs; and, as there are now no such agents here for the Province of New-York, we cannot but offer it to you as very fit that care should be taken therein.

Port at Perthamboy in East New Jersey

Since your Lordᵖ's departure from hence, the proprietors of East and West New Jersey having been very pressing for the priviledge of Ports in those Countries, we have been obliged to enquire carefully into their pretended right thereunto, and to lay our opinion before His Majᵗʸ, that they have no such rights, and that it is not convenient it should be granted to them; upon which His Majᵗʸ having been pleased to give directions accordingly, and a copy of our representation being inserted in the order of Council made thereupon, we send you herewithall a copy of the said order, that you may understand the reasons of that determination, and take care that the rights and priviledges of the province of New York be not infringed.

Naval Stores.

Your Lordship is undoubtedly so sensible of the great importance of producing all manner of naval stores in his Majestys plantations in America so that this Kingdome may be supplied therewithall from thence, that we need not suggest any reasons for it. But neverthelesse we cannot omit to mention it as a thing which his Majᵗʸ from the first opening of our Commission has particularly recommended to our care, and upon which therefore we desire Your Lordship to take and transmit unto us all the information possible, and at the same time apply your own thoughts to the promoting of the production of whatever sort may be most suitable and best brought to perfection in any of your Governᵗˢ. We are

My Lord,

Your Lordships most humble servants.

J. Bridgewater,
Ph. Meadows
Wᵐ Blathwayte
Jnº Pollexfen
A. Hill.

Febʳʸ 23, 169$\frac{7}{8}$.

The Lords of Trade to the Earl of Bellomont.

[New-York Entries, A. 306.]

To the Right Hon^ble^ the Earl of Bellomont Capt^n^ General and Commander in Chief of His Maj^tys^ Province of the Massachusetts Bay New Yorke and New Hampshire in America and of the territories thereupon depending, ettc. or to the Commander in Chief of His Maj'^tys^ Province of New York for the time being.

My Lord.

Whereas great complaints have been made, and daily continue, of many mischiefs committed of late years in the East Indies, and other parts of the world by Pirates, and sea Robbers, and of the too favourable entertainment, protection and incouragement which it is notorious have been given to many of them in several of His Majesties Colonies in America, both in their preparation, or fitting out from thence, and in their returne thither as to a secure receptacle: His Maj^ty^ taking the same into consideration together with the further consequences of such like pernicious practices, which, by the resentment of princes and States concern'd, and otherwise, will infallibly more and more tend to the prejudice of Trade and bring great Scandal upon the English name and nation; and desiring that this evill may be effectually cured in the root and spring of it. Has thereupon been pleased to direct us to send unto the Governours of all His Plantations in America; Copies of an act past in the Island of Jamaica: *for restraining and punishing Privateers and Pirates*, which may be very usefull to that end, and to require all his said Governours respectively to use their utmost endevours with the Assemblies in each of His said Plantations, for the passing of acts there to the same effect, and when past to be very vigilant in the exact execution thereof.

Now we having delivered to your Lord^p^ a copy of the forementioned Act past in the Island of Jamaica, together with our letter of the 26^th^ of August last, and (upon presumption that there was already some Act of the like nature in force in the Province of New Yorke) required then only your care in promoting the passing of one to the same purpose in the Massachusetts Bay, we are obliged upon this occasion, that His Maj^tys^ pleasure may be observed uniformly throughout all His Plantations to recommend the same thing unto your Lordship's care for the province of New Hampshire also. And further, to avoid any misunderstanding concerning either the Massachusetts Bay, or New York, whereas since the writing of our foresaid letter, we have seen an Act of the like nature past in the Massachusetts Bay, which we esteem not so effectual as that of Jamaica, and are not certain whether that enacted at New Yorke be not also less effectual than it ought to be, we are obliged to recommend it also to your Lordships care that the laws on that subject in both those provinces may be to the same effect, and that His Maj^tys^ further pleasure in the execution of the said laws when enacted be punctually obeyed throughout each of His Maj^tys^ provinces under your Govern^t^.

Just as this letter was intended to have been dispatched, we have received one from your Lordship dated in Barbadoes the eight of January last by which we are glad to understand your Lord^p's^ Safty there, after the fatigue and hazard of so long and violent a storme as you have been exposed to, and hope the remaining part of your voyage will have been more fortunate. As for what you write to our Secretary about the incursions of the Eastern Indians upon some part of New England and New Hampshire, which he hath communicated to us, we

suppose it will not be long before we may, receive your Lord$^{p's}$ opinion from a nearer view of those matters after your arrival in that Country, and therefore the engageing of our Indians in a war with them, who have put themselves under the protection of the French seeming to us a matter of consequence, we will expect to hear further from your Lordship thereupon — We are

My Lord

Your Lord$^{p's}$ most humble Servants

J. Bridgewater
Ph. Meadows
W^{m} Blathwayt
Jn^{o} Pollexfen
Abr: Hill

Cockpit March 21st 169$\frac{7}{8}$.

Mr. Randolph to the Lords of Trade.

[Plantation General Entries, XXXIV. A. 295.]

To the Right Hon^{ble} the Lords Commissioners of the Council of Trade and Plantations.

May it please your Lordships

In obedience to your Lordships Commands signified by M^{r} Secretary Popple in his letter to me of the 1 of April & 1697 to give your Lordships from time to time an account of whatsoever I shall judge proper for their knowledge in order to his Majesty's service, in any of the Colonies wherein I shall reside; I humbly represent that I arrived the 16 of December past at Annapolis the Cheif Town in the Province of Maryland I administered the Oath to Colonel Nicholson the Governor, the 11th of January past; he continues very zealous to put the Acts of Trade in execution and to the end no illegall Traders may for the future gett off with slender security, he has put all forfeited Plantation and bonds in suite, and recovered Judgments against severall of the inhabitants who were bound with the Masters of Vessells, carrying their Tobacco from thence to Scotland directly, which makes many of them (being Scotch Traders) very uneasy to the Governor.

I fearing I could not comply with the time limitted by the Act for administering the oath to the Governour of Pensilvania, sent the Commission, ordered to remain in Virginia for administring the oath to the Governour for the time being, by my servant to S^{r} Edmond Andros who as accordingly taken the oath, and is very strict himself and obliges the officers of the Customs to be very diligent and punctuall in their respective places

With much difficulty I gott over Chesepeak Bay and travelled to Pensilvania calling at New Castle upon Delaware Bay tis inhabited with Scotch and Dutch cheifly and a few French, and one or two Englishmen, they are under an arbitrary Quaker Government where neither Judges, Juries, nor Witnesses are sworn even in tryalls of Criminalls, as about four yeares agoe, when I was there (as I was informed, but will more particularly appear by the Record of the said tryall if they kept any) one Richardson was tryed, condemned and executed upon a supposed murther, so that His Majesty's subjects inhabiting in those parts and Pensilvania also, are in no wise secure in their Estates, Lives and Liberties, nor can it be expected that the officers of

His Majestyes Customs can have Justice done, where there are no persons qualified by an oath to try their causes upon Seizures and otherwise.

I came to Philadelphia, and administred the oath to Mr Markham the Governor the 17th of March past but he has not his Majesty's Order in Council allowing him to be Governor of that Province.

Colonel Nicholson hearing of some of Every's men were in Philadelphia forthwith sent the Lords Justices Proclamation (for apprehending them) to Mr Markham, who instead of securing, supported and encouraged them; two of the cheif (Clinton and Lassell) were carried to Carolina from Philadelphia, by one Medlicott another of Every's men and surgeon of his ship; another of them (one Clause a cooper) lives now in Philadelphia, I have seen him almost every day in the Streets, and James Brown (one also of that Company) is married to Mr. Markhams Daughter.

I humbly enclose a copy of their examination attested by David Lloyd the Attorney Generall, I likewise send a copy of the preface of their laws in which they shew themselves independent from the Crown, not acknowledging his present Majesty King William the third, to be their Sovereign Lord and King.

I have ordered one of the inhabitants of Philadelphia to be arrested (being security for a Vessell which carried her Tobacco to Scotland directly from thence) upon his forfeited Plantation Bond of £1000, another upon a Bond of £500; I went to the Governor and desired him to appoint an Attorney Generall to prosecute those Bonds for his Majesty, but he did nothing in it.

He has adjourned the Courts for six months and by that means he has given a fair oppertunity to the Persons arrested to secure themselves and Estates from future trouble, and to those also (whose forfeited Plantation Bonds he refuses to shew me, so that his Majesty's Service is neglected, the Acts of Trade eluded, and the officers of the Customs putt to charge and trouble to no purpose. Mr Markham has likewise discharged a vessell of New York belonging to Colonel Heathcot, and Captain Evans commander of the Richmond Frigott now at New York, seized by his own warrant for loading tobacco before bond given, since he received and published the Act for preventing frauds.

About ten days ago twas discovered that five or six vessells from the Red seas were upon the coast one of them was in att Connecticutt Colony (a propriety) and unlivered part of her goods which were seized upon by his Excellencies directions to Captain Gulliford commander of his Majesty's Frigot the Fowy.

The Swift Frigott (Captain Bostock Commander) being run aground at North Carolina, and in danger to be lost, I therefore in pursuance to my Instructions from my Masters the Commissioners of His Majesty's Customs, intend to take my passage upon the Fowy with his Majesty's Commission to administer the Oaths to the Governors of Carolina and Bermudas and to carry the Commission and Instructions to the Bahama Islands, where I am well informed by a master of a vessell belonging to this place (who lately came from thence) that Captain Webb the proprietors Governor seizes and clears Vessells, making the masters pay what he pleases, and takes no notice of Mr Graves appointed to be the Collector of his Majesty's Customes in that place.

Your Lordships may please to Remember that besides the proprietors Governors taking the Oath, and being approved of by his Majestys Order in Council before their entrance into their respective Governments; (as in the Act for preventing frauds is enacted) That the Right

honourable the Lords Spiritual and Temporall all assembled in parliament for the better regulating the Proprietors Governours did humbly propose to his Majesty that the owners of the severall Propriety's who live in England, should give good security to the value of two or £3000 to his Majesty, that their Governours should punctually observe all the Acts of Trade &c. and that none of their Governors be approved of by his Majesty's order in Councill, untill such bond were given I believe that none of the present Governors (except Captain Webb Governor of the Bahama Islands) are approved of by his Majesty's order in Councill neither have any of the owners (living in England) given such Bond, so that notwithstanding the Act for preventing frauds, the severall Commissions and all other methods directed, for the bringing these independent propriety's to due conformity to the laws and Government of England, have been of no effect, and the sending officers of the Customs thither with great Salaries (as Mr Penn has truly observed, from the temper of his friends) is only a charge to the Crown.

For preventing these and many other open violations and contempts of his Majestys laws and authority it is humbly proposed that his Majesty be pleased to take into his own hands the Goverment of all these petty independent Platations and appoint Governors by his commissions, reserving all ways to the owners of such Proprietyes all their Right and property to all intents and purposes as fully and amply as by their said letters Patents &c. are granted to them &c. otherwise should a hundred Acts be made for the regulation of them, they will pay no obedience to them.

I take leave further humbly to propose to Your Lordships that it is absolutely necessary for his Majesty's service, that the Lords Commissioners of the Admiralty do send at least two small light Frigatts to be under the Command and direction of his Excellency the Earl of Bellomont, besides these now allready appointed for New York and New England otherwise twill be impossible to prevent illegall Traders and Pirates, especially from trading in the Provinces and Colonies extending about eight hundred miles from New England to Carolina upon the coast of America, as also to defend lawfull traders from spoile and Rapine often committed by Pyrates on this coast, New York being the center and is scituated near the main Ocean, so that Vessells may in much less time cruise to the Eastward or Westward as occasion shall require from thence

All which is humbly submitted by

New York the 26 of April 1698. E: Randolph.

Earl of Bellomont to the Lords of Trade.

[New-York Entries, A. 312.]

To the Right Honorable the Lords of the Council of Trade

My Lords,

In my letter of the eighth of January last I gave your Lordships an account of my arrival at Barbadoes.

His arrival at New York.

On the ninth of March I left that Island, and on the second of April I landed at the City of New York, and entered on the Govern^{t}, and by the advice of the

An Assembly called.

Councill I issued out writts for the calling a new Assembly who are to meet the eight day of May next, and then I hope methods will be found for the quieting

Divisions among the people.

and uniting the minds of the people, who have been divided with great heats for

the reason.

these several years, occasioned at first by the execution of those men who were most forward in the happy Revolution, and ever since kept up and aggrevated with great industrie, even so far that the presumption that I shall be equal in my administrations (or their own guilt hath so prevailed on most of the Gentlemen of the Councill to forget their oaths and

The Council have not yet applied to him, nor offered him any assistance.

duty to His Majᵗʸ; so that none of them have yet applyed to me to informe me of the State of the Province, or offered to me any assistance in the Government, although they know I am come a stranger amongst them, and unbyassed as to

But meet in Caballs at Coll: Fletcher's lodgings.

their animosity's, but instead thereof constant Cabals and clubbs of them are held dayly at Colonel Fletcher's lodgings (from whence I have as great reason to believe) false reports and rumors are spread about the City and province, whereby mens minds are disturbed, and an odium cast upon the Governᵗ, and thus these Gentlemen of the Councill by their drawing back endevour to make this Governᵗ uneasy to me.

Ill administration of the late Governt

I must likewise with great concerne informe your Lordships, that by the late administration of this Government, His Majᵗʸˢ affairs have so been put out of frame that it will cost me very much pains and trouble to bring them into order and to support the dignity of His Majᵗʸˢ Governᵗ and the just observance of his laws.

Corruption of Officers of the Revenue.

The carelessness and corruption of the officers of the revenue and customes have been so great for some years past that although the Trade of this place hath

Trade increased.

been four times as much as formerly and the City greatly enlarged, and inriched,

The revenue decreased.

yet His Majᵗʸˢ revenue arising from the Customes, hath decreased the one half from what it was ten years since; and the Merchants here have been so used to

The merchants used to illegal trade.

unlawful trade that they were almost ready to mutiny on some seizures I caused

He causes an unfree Ship to be seized.

to be made (a few days after I landed) on Goods imported in an unfree bottom in the ship Fortune, commanded by Captⁿ Moston, and it was with the greatest

Mr Chidley Brook's unwillingness to do it.

unwillingness and backwardness that His Majᵗʸ's Collector Mʳ Chidley Brooks did make the seizure, who told me it was none of his business, but belonged to a Man of warr; that he had no boat, and other excuses; and when I gave him positive

And deferring it so long that the ship unloaded £20,000 worth of East India goods.

commands to do it, which he could not avoid, yet his delay of four days time gave opportunity to the ship wholly to unlade a rich cargo of East India goods, believed to be worth twenty thousand pounds; and only the last boats laden from her were seized to the value of about one thousand pounds, and I am informed that several other ships have since my landing here, transgressed the acts of Trade which I could not prevent.

He will do his utmost to observe the acts of Trade.

I shall take the best and most speedy methods I can for the Just observance of the acts of Trade, by suspending of careless or corrupt Officers, but I shall

Most of the Council illegal Traders.

have but small assistance from the Gentlemⁿ of His Majᵗʸˢ Councill, because they are most of them Merchants, and several of themselves the persons concerned in the breach of these laws, and I perceive by their carriage and resentment of my making the forementioned small seizure, that they are surprized that my discharge of my oath and duty gives them so unacustomed a disturbance; however, I shall not be discouraged but instead

He will suspend several of them.

thereof shall forthwith for His Majᵗʸ's service, suspend several of them, from being of His Majᵗʸˢ Council, and try to find fitter persons to supply their places,

He transmitts the names of six prsons to fill up vacancies in Councill.

who will be more ready to assist me in matters of Governt: and due observance of the laws, and in order to it, I have herewith transmitted to your Lord^{ps} the names of six persons of the best note for reputation and estate, out of which to fill up the vacancies, according as I am ordered by my instruc^{tns}.

New York a nest of Pirates.

This city hath likewise been a nest of Pirates, and I already find that several of their ships have been (and now are) out, have their owners and were fitted from this Port, and have Commissions to act as privateers, from the late Gov^{r} here; but I have given a full account of this matter in a particular letter to your Lord^{ps} by this conveyance.

Male administration of Coll: Fletcher.

Since my arrival here I have received many complaints of the male administration of the late Gov^{r}; but I had no authority to call him to an account of them; indeed, the cry of the people, is so great that Coll: Fletcher hath imbezeled and converted to his own use, great sums of their publick moneys, and finding that he designed for England before the sitting of the Assembly (for quieting the people in that point, and to give Coll: Fletcher an opportunity to cleare himself from that Calumny) I passed a Commission to a certain fitt persons to receive, state and audit all the publick accounts of this Govern^{t}, but because the proofs and vouchers of Coll: Fletcher's accounts would detard his designed voyage for England, by the Richmond Frigatt, in respect to His Maj^{tys} Commis^{n} which he so lately bore, I chose to give him the least uneasiness, and accepted of his giving security to be answerable to His Maj^{ty} for all publick monys which will be found irregularly disposed of by him, during his Govern^{t} of this province, and I have I hope thereby somewhat quieted the peoples minds which were disturb'd on that occasion.

He converted great sums of publick money to his own use.

He has given security to answer for such monys as shall be laid to his charge.

Trade between New York and Madagascar

East India goods bought of Pirates brought from thence.

Reasons for this trade.

I think it necessary likewise to informe you Lord^{ps} that there is a great trade managed between this port and Madagascar, from whence great quantities of East India goods are brought, which are certainly purchased from Pirates; I am at a loss what method to take in this matter, and therefore pray your Lord^{ps} directions therein. I find that this practice is set up in order that the spoils taken by the Pirates (set out from this Citty) may be brought in hither in merchant ships, whose owners are likewise owners and interested in the Pirates ships, and I particularly find, that one Capt^{n} Moston Commander of the ship Fortune (now under seizure) altho' an unfree bottom had a Commission from Coll: Fletcher to be a privateer, and as if protected by that did publickly load here for Madagascar and came back laden with East India goods supposed to be partly the produce of the cargo and partly the Pirates goods, which were landed and concealed all but the last boat (as I have before informed you) and it was so contrived that this ship the Fortune was with Coll: Fletcher's Commission sent from hence to Madagascar at the same time that Hore and Glover's ship (two most notorious Pirates) were there, both of which had Commissions from Coll: Fletcher at New Yorke.

Pirates commissioned by Coll: Fletcher.

No Naval Officer.

Chid. Brooks Collectr. and Naval Officer.

I likewise find that no Naval Officer was appointed by Coll: Fletcher to be a check on the Collector; but both offices were discharged by M^{r} Chidley Brooks; how faithfully your Lordships shall be made acquainted by the next conveyance.

No register for ships kept —

He has appropriated one also a Naval officer

Consequence of the want of such Officers.

No care was taken for any register for ships in New York but I have since my arrival appointed a distinct Naval Officer and a Register according to the authority and intent of the act of Parliament; the neglect of it hath been of ill influence to Trade; for that many Merchant ships will be seized in other parts, for not having certificates from the Register, as the Act of Parliament appoints,

this neglect hath indeed been in other Governm^{ts}, which hath occasioned the seizing of several ships here. To remedy which, the Surveyor General of the Customes M^{r} Randolph, and the Collector of the Customes M^{r} Brooks, with consent of the Council have agreed with me, that securities being given to the value of the ships, that certificates from the Register of the places to which the said ships belong, shall be produced here in a certain time, and to answer any damage may accrue thereby to His Maj^{ty}; the ships should be permitted to proceed on their voyages, which I hope your Lord^{ps} will approve of as a proper provision to prevent frauds or any injury thereby to the King, and yet not hinder trade. I have by this conveyance given an account of this affair to the Right Hon^{ble} the Lords of the Treasury, to be imparted to the Hon^{ble} the Coms^{rs} of the Customs.

Remedy.

He has given an account thereof to the Lords of the Treasury.

He has ordered the Forts to be surveyed.

I have given orders to Coll: Romar His Maj$^{ty's}$ chief Ingineer, to survey all the fortifications of this Govern^{t}, and shall myself within a month visit the Frontiers of Albany, and order such new Fortifications to be made on the Frontiers as may secure this Province in time of warr or invasion.

He has ordered the Inhabitants and the 5 Nations of Indians to be numbered.

I have given order for the numbering the Inhabitants of this Govern^{t} and of the five nations of Indians, who are half destroyed by this warr, and have appointed them to meet me at my arrival to Albany, to renew their friendship, which was almost lost; four of their five nations having agreed on a peace with the French, before our peace with the French was proclaimed.

Their peace with the French.

The ill condition of the Forces.

I find the Forces in pay here in a miserable condition, not half the number by the establishment, and almost starved, and many complaints of hardships done them before my arrival. I shall examine them all, and shall give what remedy I am able, and then give your Lordships a faithful account thereof.

The Jerseys have obtained leave for 2. ports.

I presume your Lord^{ps} will likewise think it worth your serious consideration that the Govern^{t} of the Jerseys have obtained leave to make two Ports for trade in their Govern^{t} which will be a destruction to the Trade of the City and province of New York, who have established laws, for Customs by which a considerable revenue is raised to support the Govern^{t}; but if the said ports of the Jersies are permitted to lade and unlade ships free from such impositions, all Merchants will resort thither, being but twenty miles distance, which will be the ruine of this the King's Govern^{t}, which is the Bulwark, defence, and support of His Maj^{ties} neighbouring provinces, and the laws of this province that exacts customes & imposts of goods do expire this next year, and I fear it will be difficult if not impossible to get them revived, or that the people will be willing to lay that Clog on their trade which the Jersies will be freed from, so that a revenue which well managed may advance six thousand pounds or 7000£ p^{r} annum will fall and nothing be left to support the Government.

Consequence thereof.

He would not permit Proclamations to be printed for making Perth and Burlington Free ports.

I would not permit proclamations to be printed in this City establishing PerthAmboy and Burlington to be free ports; until I made your Lordships acquainted with this matter, and received His Maj$^{ty's}$ further pleasure about it; I am assured that the Assembly of this province at their meeting will fully represent this matter to your Lordships, to be laid before His Maj^{ty}, with all the fatal inconveniences that attend it.

He has sent the articles of peace etc. to Canada.

I have sent the proclamation and articles of peace, and have returned nineteen French prisoners with letters to the Gov^{r} of Canada & Montreall, which was neglected until my arrival, and I am inform'd that those Governors had no account thereof before, nor received any orders therein from France.

He transmits the printed laws.

I have pursuant to your Lord^{ps} orders transmitted by this conveyance a printed collection of all the Laws of New York together with print^{d} procl^{tns} for suppressing of vice and to prevent corruptions in the Elections and returns of Representatives for the ensuing Assembly, a practice much complained of.

Also copys of his Lettrs to the Admiralty Treasury and the Commissrs of the Customs.

I have likewise inclosed copys of my letters by this conveyance to the Lords of the Treasury and the Lords of the Admiralty & the Commissioners of the Customes, with copys of all papers referred to in them for your Lord^{ps} perusal — I am with respect,

My Lords,

Your Lordships most humble & faithful servant,

BELLOMONT.

New York May 8th 1698

Coll: Fletcher has got a Certificate of his good Government.

P. S. Just now I have received a copy of an address or certificate which Coll: Fletcher the late Gov^{r} here hath procured, declaring his Justice & good Govern^{t} of this province, of the Current of the laws and increase of Trade, which he designes to make use to obsolve him from all complaints that may be made against him. I

A copy of it is here transmitted.

have sent your Lordships the copy of it, but have not got yet a list of the subscribers, but I am informed that many of the Council and inhabitants of this

The subscribers are the persons concerned in his male administn

City have signed it, and that his Justifyers are the very persons concerned and have grown Rich together with himself, by fitting out the Pirates ships and trading with Madagascar, Scotland & Curaçao, and being instruments of other his male administrations, and now they Justify him, and thank him for those illegal advantages he

By the next conveyance he hopes to transmit depositions of some of the subscribers in opposition to their certificate.

gave them, and for which he is most likely to be censured by His Majesty. I do not question but to send to your Lord^{ps} by the next conveyance several depositions of several of the subscribers that will prove matter of fact point blank contrary to their Certificate, which 'tis supposed Coll: Fletcher's guilt and their own involv'd together, prevailed on them to sign.

BELLOMONT.

New York May 18th 1698.

Earl of Bellomont to the Lords of Trade.

[New-York Entries, A. 328.]

To the Right Hon^{ble} the Lords Commiss^{rs} of the Council of Trade & Plantations.

My Lords

I have wrote largely of the General State of this Govern^{t} in letters of this date, this is particularly to informe your Lord^{ps} in relation to Pirates and the proceeding of the late Gov^{r}

Pirates protected by Coll: Fletcher.

Fletcher to encourage and protect them, which I have [been] industrious to discover in obedience to repeated orders and instruct^{ns} which I have received from His Maj^{ty}, most strict in the matter, and I find that those Pyrates that have given the

Whence fitted.

greatest disturbance in the East Indies and Red Sea, have been either fitted from

New-York or Rhode Island, and mann'd from New-York. The ships commanded by Mason, Tew, Glover and Hore, had their commissions from the Gov^{r} of New York. The three last from Fletcher. and although these Commissions (which are on record here) appear to be given only against the Kings enemies; yet it was known to all the inhabitants of this City that they were bound to the Indies and the Red sea, it being openly declared by the said Commanders, whereby they raised men and were quickly able to proceed, and so notoriously publick that it was generally believed that they had assurance from Coll: Fletcher, that they may returne with the spoyle to New York and be protected, as it will now plainly appear, by the protections he did give to them, at their return, and the rewards they gave him for them. It is likewise evident that Tew, Glover and Hore, had commissions granted them by Coll: Fletcher when none of them had any ship or vessell in Colonel Fletcher's Govern^{t}, yet they had Commissions and were permitted to raise men in New-Yorke, and the design publique of their being bound to the red sea, And Capt^{n} Tew that had been before a most notorious Pirate (complained of by the East India Company) on his returne from the Indies with great riches made a visit to New York, where (although a man of most mean and infamous character) he was received and caressed by Coll: Fletcher, dined and supped often with him, and appeared publickly in his coach with him, and they exchanged presents, as gold watches ettc. with one another, all this is known to most of the City, and on this Coll: Fletcher gave him his Commission. Mason's ship returned under the command of one Coats, about the year 1693, and the crew having shared the booty came into this Govern^{t}, and received incouragement, and had protections given them by Coll: Fletcher as will appear by the deposition N^{o} 1. of one Burgesse one of the Pyrats, and by N^{o} 2. the deposition of Edward Taylor another of the Pyrates, Your Lordships will plainly see the bargain that was made by him (in behalf of the ship's crew) with Coll: Fletcher and M^{r} W^{m} Nicoll one of His Ma$^{ty's}$ Councill and the rewards they were to have, and did receive from the said Taylor and company. I have indeed promised on my honour to intercede with His Ma^{ty} by your Lord^{ps} for the said Burgesse and Taylors pardons; otherwise, I should not have been able to have had their evidence and made this discovery, and therefore I must pray your Lord^{ps} favor therein, that they may have the benefit of my promise to them, which hath occasioned their criminating themselves. and I believe it much less criminal in men of their loose principles to act such things, then in a Govern^{t} to give them such encouragement & impunity. And Coll: Fletcher received for his favour to that ship's crew, their ship which he sold to Coll: Heathcote for eight hundred pounds, besides what private presents report saith were made to his Lady and daughter; and besides his reward for particular protections which, I find were commonly rated at one hundred dollars p^{r} man, and besides gratifications to his broaker M^{r} Nicoll of His Maj^{ties} Councill and other small rewards to his Clerk Daniell Honan, as doth appear by the said depositions. I have likewise discovered that protections were publickly exposed to sale at the said rates, to Pyrats that were of other companies and I have already gain'd some originals of which I have sent the copies inclosed N^{o} 3. by which your Lord^{ps} may see Coll: Fletchers art to get money, and how far he was from suspecting or prosecuting these Pyrats, when their guilt made them seek and buy the protection, that the lawes give all honest men, and which such had a right and claime to

By whom commissionated.

Whether bound.

To returne to New Yorke.

Tew ettc. comissionated by Coll: Fletcher before they had any Ships there.

Captn Tew from the Red sea very familiar with the Governour.

Mason's Ships protected by the Govrnt as is deposed.

Taylor bargains with Coll: Fletcher and Nicoll.

Intercedes for Taylor and Burgesses pardon.

Fletcher sells Taylors Ship to Heathcote for 800£.

Protections 100 dollars a man.

Nicoll of the Councill a broker in this Trade. Ships to Honan, Fletcher's Clerk.

Protections exposed to sale for Pyrates of other companies as pr copies.

without purchasing Coll: Fletchers hand and seal for a further assurance, but this I submitt to your Lordships consideration. It is indeed suggested that Coll: Fletcher took bonds from these protected Pyrates that they should not depart the province without Lycence, but I am informed, several had lycence but whether they were only colourable securities from men of invisible Substances, or what the certain condition of them was, I cannot learne, for that

No bonds of Pyrats appear, or were ever prosecuted.

the said bonds are not deposited any where on behalf of His Majᵗʸ nor can I find that any of the Pyrats or their bonds were ever prosecuted. Instead thereof, I find that the last mentioned protections were purchased and no bonds given for

Coll: Bayard of his Majty's Councill a broker, as pr depositns.

them. I also find one Coll: Bayard of His Majᵗʸˢ Councill was broker for Coll: Fletcher in the procuring them, and your Lordᵖˢ will perceive what reward Coll: Fletcher and what Coll: Bayard had for their favour to these Pyrats, and the manner of their battering by the inclosed depositions N° 4 & N° 5.

Rayner tho' seized, discharged by Coll: Fletcher.

I have likewise informations of one Rayner who is said to be one of Every's crew who landed at the East end of Nassau Island and had a treasure valued at fifteen hundred pounds; himself and chest of money were seized, by Josiah Hobart High Sheriffe, but on application made to Coll: Fletcher and (as believed) a considerable reward given, both Reyner and his chest were discharged, he soon after purchased land in this Governᵗ, but on the publishing the proclamation about Every's men he fled out of this province. I find

Emott and Weeks brokers in this trade.

one Emott and Weeks were brokers for him to Coll: Fletcher, and what Emott would discover I have sent inclosed N° 6. I shall as soon as possible transmitt the depositions of Hobart (the Sheriff) and of Weeks (who was Rayner the Pyrate's friend) having sent a summons for them.

Many protections, but no prosecutions.

I am likewise informed of many other protections that have been purchased from Coll: Fletcher, but am assured that there never was any prosecution made against any Pyrate during his Administration of the Governᵗ. And (what may surprise your

The Attorney Gener'll never consulted.

Lordships) although Mʳ James Graham His Majᵗʸˢ Attorney General is a man of known ability and of great integrity to His Majᵗʸˢ service, yet Coll: Fletcher transacted this whole matter of protecting Pyrates without consulting the said Attʳⁿʸ General or having his advice and consent in a matter so highly relating to His Majᵗⁱᵉˢ Crown and dignity and of so great consequence to the East India Trade of Englᵈ

Coate's ship brought in on a false pretence.

I find indeed to give a colour to the advantage Colonel Fletcher made by Pyrates, he himself made a proposal in Council and overaw'd and amused them, into an order, that Coats's ship and crew should be permitted to come into New York, under pretence of desiring the benefit of a clause of an Act of the Countrey made concerning Pyrates which the Council consented to as appears by a copy thereof inclosed N° 7. But your Lordᵖˢ will find they could have no benefit by the said Act, which is inclosed N° 8 — However, under colour thereof they were admitted and protected and never prosecuted.

Five sayle of Pyrats make away on notice of Governt's changed.

I had likewise certain information since my arrival here, that five sayle that were seen and supposed to be Pyrates, were hovering on this Coast, and one of them landed some men on the Jerseys (as the Govʳ of the Jerseys acquainted me) and Enquiry, who was in the Governᵗ, of which, when they were informed, they went on board and departed, not daring to come under my Governᵗ with the same assurances of safety they had before experienced, so that the alteration of the Governᵗ is comonly reputed here to be a great loss to Coll: Fletcher on this account. On these proofs, I summoned His

His Excellcy Earl of Bellomont and Councill's resolve as to Fletcher and Nicoll.

Maj$^{ty's}$ Council on the 8th day of May and communicated my instructions about Pyrats, and the aforesaid evidence in relation to Coll: Fletcher and M^{r} W^{m} Nicoll; and the Gentlemen of the Councill then present did expresse their abhorrence of these practices and were of opinion with me that the whole evidence should have the seal of the province affixed, and be transmitted home to His Majesty, with Coll: Fletcher a prisoner. And as to M^{r} W^{m} Nicoll they believed he ought to answer for this offence here where he committed it, they believing that he had not estate at home to support him, and that it would ruine him to send him from his affairs here, and by marriage being related to several of them, I found him [them] somewhat tender of him, & although in my own Judgement I was inclined to think that he being one of His Maj$^{ty's}$ Councill and involved with Coll: Fletcher in this part of his male Administration, and betraying of trust, that he should likewise be sent with him to answer the same to His Maj^{ty} in England. But was prevailed on to accept of two Thousand pounds security for the appearance of M^{r} W^{m} Nicoll; when demanded to answer to what shall be objected against [him] on behalf of His Maj^{ty}, and suspended him from being one of the Council until His Maj$^{ty's}$ further pleasure be known therein. On my proposal, the Councill Joyned with me that a Proclamation should forthwith be made against Pyrats, that the present Government may not justly have the imputations of the neglect of the former which Proclamation is N^{o} 9. And I must desire your Lordships to offer to His Maj$^{ty's}$ consideration, the case of those Pyrates that have surrendered themselves and received protec^{tns} from Coll: Fletcher, and that I may have your Lord^{ps} directions therein, I have not proceeded against them, because their protections being an Act of the Govern^{t} and being a publique faith, I would not violate it nor do any thing therein, until I have received His Maj^{tys} pleasure in relation to them.

Nicoll suspended.

Procln agst Pyrates

What to do with the Pyrates that surrendrd to Coll: Fletcher.

Nicoll's Character.

In pursuance of His Maj^{tys} commands I give your Lord^{ps} this account of my removal of M^{r} Nicoll from the Councill, to which I must add that M^{r} Nicoll is a man of good sence and knowledge in the law, but I am informed that he hath been a great instrument and contriver of many corrupt and unjust practices in the late administration of this Govern^{t}, of which as other proofs come to my hands I shall transmitt them to Your Lord^{ps}, and hope His Maj^{ty} will not restore to the Councill a person so capable and willing to betray the trust of his part in the Govern^{t} And as to Coll: Fletcher although the Councill were of opinion that he should be sent home a prisoner to His Maj^{ty} on the account of his protecting and encouraging Pyrates, yet I have presumed not to deal harshly with one who hath been honoured with His Maj^{tys} Commission for this Govern^{t} and have only transmitted the foregoing proofs (which are all that in so short a time could be prepared) that your Lord^{ps} may be fully appraised of this matter which may be offered to His Maj^{tys} consideration by your Lord^{ps} and that His Maj^{ty} and your Lord^{ps} may be satisfyed of my zeale and industry for His Maj$^{ty's}$ service in this point which I have so stricktly in charge, so that having by this opportunity given your Lord^{ps} other accounts of the state of this Govern^{t}, I shall confine this letter only to this subject of the Pyrats and conclude with respect.

Why Fletcher not sent prisoner.

My Lords,

Your Lord^{ps} most humble and faithfull servant

New York May 8th 1698. BELLOMONT.

Disappointment in catching Pyrats.

P. S.— Since my closing the foregoing I believed I had an opportunity to surprise and take a considerable number of Pyrates expected on board His

Majᵗʸ's ship Richmond and gave instructions and took the best measures I could in order thereto, as your Lordᵖˢ will find by the inclosed copy of my letter to the Lords of the Admiralty, with the copies of the papers refered to therein, which although it had not the success I expected, yet was all that could be done therein, and which I hope will meet with your Lordᵖˢ approbation. I have just now found the records of the Commissions to the Pyrats and made discovery of the bonds the Pyrates entered into to Coll: Fletcher when he granted them Commissions, and they appear so fraudulent that it is a manifestation that he was made acquainted with their design of Pyracy. The Commission to Captⁿ Thomas Tew to Command the Sloop Amity is dated at Fort William Henry in N. York the second of Novʳ 1694. signed Benjamin Fletcher and counter signed by His Excellᶜⁱᵉˢ command Daniell Honan. The commission to Captⁿ John Hoar to command the ship called the John and Rebecca dated the sixteenth of July 1695 signed and countersigned as Captⁿ Tew's commission. But the bond given by Captⁿ Thoˢ Tew to Coll: Fletcher is for three thousand pounds, and is signed by Thoˢ Tew and Edward Coats (another notorious Pyrate who was protected by Coll: Fletcher and was Commander of the Private Ship Jacob bestowed on Coll: Fletcher as aforesaid) and his private Secretary Daniell Honan. The bond from Captⁿ Hore was for three thousand pounds, and signed by the said Captⁿ Hoar, John Feny (a Popish taylor of this city and a beggar) and again Daniell Honan, Coll: Fletcher's private secretary.

Commissions to the Pyrates and their bonds found.

Tew's and Hoar's bonds and security.

These bonds were kept by Coll: Fletcher in his private secretary Daniel Honan's custody, who about three months before my arrivall blots out his own name in the body of the bonds, and blots out his own name which he himself signed, and tears off his own seale, leaving the other names and seals intire. And thus having defaced and razed both the bonds (as to his name and seal) I have received them. And forthwith summoned the four witness to the bond and took their depositions who plainly prove that the said bonds were perfected and signed and sealed by the said Honan. The copies of the said depositions I have sent your Lordᵖˢ inclosed marked Nº 10, and humbly referr it to His Majesty's consideration how far Coll: Fletcher is answerable for taking such knights of the post's security for these men, who have since been the worst of Pyrates (as may be proved by a multitude of evidence both here and in England) and without doubt Coll: Fletcher is answerable for the Trust of his private Secretary, who was bound with them, and who suffer'd the Bonds to be thus defaced in his own custody.

Honan, Secretary to Fletcher and Security for Hore, tears out his name.

I have sent your Lordᵖˢ copies of the letters to me from His Grace the Duke of Shrewsbury Principal Secretary of State about Pirates, and the letter of James Vernon Esq: Secr: to their Excellᶜⁱᵉˢ the Lords Justices of England, with Commands to enquire strikctly into the connivance and protections that were given to Pyrats by Coll: Fletcher late Govʳ of this Province, which letters with copies of memorials of the East India company that gave occasion for the said letters are Nº 11. And I likewise send your Lordᵖˢ a printed account of the proceedings I had with His Majᵗʸ's Councill here in relation thereto Nº 12, which I was forced to publish to confute several scandalous stories, that were spread by ill men on that occasion

Copies of the Duke of Shrewsbury and Mr Secr. Vernon's letters to Coll: Fletcher ette. and of memorials of East India Company.

BELLOMONT.

New York May 18ᵗʰ 1698.

French Encroachments in America.

[Brit: Mus. Lansdowne MSS., No. 849, fol. 73.]

Extract of a letter from M^r^ Randolph, dated at New York, 16 May. 1698.

I was yesterday desired by M^r^ Frederick Phillipps, one of the most ancient inhabitants of New Yorke, and greatest trader to Albany, and other merchants trading with the Five Nations of Indians in amity with the Dutch at Albany, to represent to your Lordships that the French have for many years encroached upon the trade, and also upon that part of the Country to the Southward of their bounds, by making Settlements at the heads of all the great rivers in His Majesty's Plantations, from the Penobscot northward to South Carolina: so that two or 300 French may upon any difference betwixt the Crowns of England and France, come down in small parties, and ruin and destroy all the Inhabitants, who live Ten or fifteen miles distant one neighbour from another, especially in Virginia and Maryland, where there are no Towns.

The northward of the River of Penobscot, has always been accounted the dividing line between the English and the French, running from thence N. N. W. up into the Country, by which means the Beaver hunting trade, (now taken from us by the French) will be secured to us, and thereby the Five Nations of the Indians will bring all the peltry to Albany, and Continue their Friendship to us.

I take leave to inform your Lordships that all the Country of Acadie to the Eastward of Boston is a very great fishing place, where is also abundance of Excellent Copper and Masts &^c^, and did belong to the Crown of England, but the French got it from us by a Treaty to the very great disadvantage of the Crown.

I humbly take leave to propose, that (upon a Treaty about adjusting all differences between His Majesty and the Crown of France) the articles formerly made between the King of England and the French King, about the Boundaries in those western parts of the World, may be accordingly agreed upon and settled.

The Earl of Bellomont to the Lords of the Admiralty.

[New-York Entries, A. 845.]

To the Right Hon^ble^ the Lords Commiss^rs^ of the Admiralty.

My Lords.

Acct of the Earl of Bellomont's proceedings with Captn Evans upon his meml for 40 seamen upon suspicion of having Pirates on board.

At my arrival in this Govern^t^ I found His Maj^tys^ ship the Richmond here, the Commander had received your Lord^ps^ orders to sayle with all expedition for England, and about the eighteenth day of April last, Capt^n^ Evans brought me a memoriall (a copy whereof is N° 1.) expressing that the ship Richmond wanted forty saylors; I replyed to Capt^n^ Evans that it would be difficult to get so many saylors, there being so few in this port, and that it would make a great disturbance amongst the Merchants, to which Capt^n^ Evans answered, he believed he could be manned by the

Pyrates. I was somewhat startled at his proposal, and told him it would be dangerous, to trust the King's ship with such men, for that perhaps they may rise and knock the others on the head and run away with the King's ship; to this Capt^{n} Evans answered, he did not fear that, or words to that purpose, and so left me, but I continued under apprehensions that mischief may happen by that Method of manning the Richmond, and was confirmed in it by Capt^{n} Evans his attending me some days after, and desiring my order for tenn saylors, on which I demanded whether he had got all his complement to ten; he replyed yes, he had got thirty voluntiers who would pay for their passage. On this I considered by what way I may seize the Pyrats and prevent what design they might possibly have on the King's ship, and therefore without revealing the matter to Capt^{n} Evans of whom I was Jealouz, I told him I would have his sayling orders ready and the Kings pacquetts against he was ready. On which acquainted me he designed to sayle from the City of New York to the watering place on Staten Island, and in a day or two he would fall down to Sandyhook, where he expected six or eight men to come on board him, and that when he was ready to sayle he would come up to the City of New York, and receive from me my orders and pacquetts, and he accordingly did so; and on the 8th day of May he attended me at Fort William Henry, and against his coming I had prepared a Commission and instructions, and had all necessary orders given, and on his attendance, I confined him to a chamber in my house for some hours, and delivered a Commission and instructions to Capt^{n} Culliford (a coppy of the Commission is N° 2). to Command His Maj$^{ty's}$ ship the Richmond, during the suspension of Capt^{n} Evans, and large instructions (a copy whereof is N° 3) how to behave and manage himself in that offaire for seizing the said Pyrats, and for fear of opposition appointed forty saylors well armed to attend him in boats and 4 Gentl^{n} (whom I durst confide in) to be assisting to him and the same day I summoned His Maj^{ties} Council and acquainted them with the whole matter; and it was resolved, that for His Maj$^{ty's}$ service, Capt^{n} Evans should be confined or give in security to appear when demanded, untill I could have account from the Richmond what had been done by virtue of my commission and instructions to Capt^{n} Culliford. But that I might not be too harsh with a Gentleman that bore His Maj^{tys} Commission, I took Capt^{n} Evans his own recognizance of one thousand pounds to appear & discharged him the same evening; and the tenth of May in the Morning, I had an account from Capt^{n} Culliford that the Lieut^{t} of the ship was absent in the Jersys, that he had searched the ship, and muster'd the saylors, and had found no pyrats nor any suspected persons. But I found by the Muster Roles he sent me (a copy whereof is N° 4,) that there was still the forty men wanting of the ship complement, of which Capt^{n} Evans had assured me as aforesaid that he had listed thirty, but whether any Pyrats were to come on board on any sign made from the ship Richmond or to come on board her at sea, I can make no further discovery, then the jealousy Capt^{n} Evans created in me by his own speeches, which were the occasion of all this trouble to him and to me, whereupon on the 11th day of May I recalled Capt^{n} Culliford together with the Gentlemen and saylors imployed with him, and restored Capt^{n} Evans to his Command on his protestation that he never had any Pyrates on board, nor expected nor would receive any on board the King's ship, and on the same day he gave me a memorial (a copy whereof is N° 5.) wherein he desired ten saylors, on which I gave him a warrant to press so many, I must add that my jealousy in this matter was strength'ned from the great friendship between Capt^{n} Evans and Coll: Fletcher late Gov^{r} of this province, who hath been a constant encourager of Pyrats, by his Commissions and protections given them, by which he hath much inriched himself, and who was on board and goes for England in the Richmond. But of this whole matter I have given

His Majesty a full account by this conveyance. The severall strickt orders I have from His Hajty in relation to Pyrates occasioned this my proceeding with Captn Evans of which I have now given your Lordps a full acct which is in every particular true of my own knowledge, and which I shall at any time attest by my oath which I hope will therefore have some weight with your Lordships to whose consideration I refer, and am with due respect

My Lords

Your Lordps most humble and faithfull servant

New York May 18th 1698. BELLOMONT

Captn Evans cruised not during Fletcher's time, having not orders which is suspicious.

P. S. I am informed that Coll: Fletcher in five years time very seldome gave orders to Captn Evans to cruise least (as it is believed) his cruising should be a hindrance to the Pyrates bringing in their spoyle to New York and least he should give disturbance to the unlawful traders, who have had the greatest liberty imaginable in this port, but this the Journals of the Richmond will best informe.

Several Pyrats hovering are gone elsewhere.

Several Pyrats ships have been hovering about this Governt since my arrival here, and put some men on shoar, who on notice of the alteration of the Governt returned on board and the ships are gone to some other place, where they have greater hopes of impunity.

An extraordinary 6th rate sailer desired to attend these governts

It is my opinion that it will be very much for His Majtys service, that an extraordinary sayler of a sixth rate full mann'd and a brisk active Commander should be appointed to attend these Governts (which would discourage and destroye these vermine who have hitherto made New York their nest of safety) and will be of great use to assist these other ships of warr already here

Captn Evans on his departure.

I have detained the Richmond but a few days till I could prepare pacquetts for His Majtys service Captn Evans came to me for sayling orders pretending to be ready the eighth of May the day I searched his ship and on the seventeenth day he told me he had not got his number of men, for which he had a press warrant and since the 17th day he hath attended my dispatch,

BELLOMONT.

Earl of Bellomont to the Lords of Trade.

[New-York Entries, A. 356.]

To the Right Honble the Lords Commissrs of Councill of Trade and Plantations.

My Lords,

The Councill of Trades letter of the 30th Novr for publishing the peace received.

Since I finished my letter of the 18th instant to your Lordps, I have received by way of Boston one letter from you on the 30th of last Novr directing the publication of the peace, which had been performed here and in my other Governts before my arrival here from Barbadoes. I have also received at the same time Your

Also one of the 23rd of Febry with letters for Connecticutt and Rhode Islands.

Lordps letter of the 23rd Febry and with it two packetts directed to the Governours and Company of Connecticutt and Rhode Island, which I forwarded to them by the last post respectively, and now to answer each paragraph of your Lordps letter of the 23rd Febry in order.

His Majty's proclmtn against entering into the service of Foreign princes receivd and published.

I have had His Majtys Proclamation (enclosed in your letter of the 23rd Febrv) dated the 28th January 1697. prohibiting His Majtys subjects ettc. published in this Citty, and have sent others of them to the sheriffs of the several counties to be published in the same manner.

Nomination of an Agent deferr'd for the Councills concurrence.

I agree with your Lordps sentiments, that an agent will be very proper on all occasions for the service of this province, but being desirious to have the concurrence of the Councill here, in choice of a fitt person to be their Agent in England; I shall defer the nomination of one till the next opportunity.

A Procln for maintaining the Port at New York in its priviledges agst Perth and Burlington in the Jerseys

Your Lordps representation of the 27th Octr 1697 and His Majty's order in Councill thereon, relating to the Port of New York, I immediately communicated to the Councill and have accordingly published a Proclamation (which I herewith send) declaring His Majtys pleasure in maintenance of the Priviledges of this port against the pretended right of Perth Amboy in East Jersey, which has given great satisfaction here, for, upon a report that the proprietors of the Jersies had obtained His Majtys consent, that Perth Amboy in East Jersey and Burlington in West Jersey, should be declared ports, several of the Merchants of this Town were going to remove to Perth Amboy, where they proposed to themselves, the advantage of importing all sorts of merchandize free from duty; of this their resolution I writ Your Lordps an account in my letter of the 18th inst: before the receipt of your last letters.

Naval Stores.

I am glad Your Lordps are pleased to renew your orders for the carrying on the good design of Furnishing naval stores from New Hampshire for the use of His Majtys Navy, which I shall obey with a great deal of pleasure, though that design have hitherto been obstructed by some cross accidents. I do not for all that despair of its succeeding well and answering His Majesties glorious ends, for the advantage of England, and your Lordps great care for its encouragement. A foolish and unhappy parcimony in the surveyors, Mr Bridger, Mr Furzer and Mr Jackson, the two first appointed by the Admiralty and Navy boards, and the latter by Sr Henry Ashurst, to make survey of the woods, and other conveniencies, in these His Majties territories, for Naval Stores, has been the occasion of great disappointment and losse of time in that affair.—They were ship'd on board the Deptford, by an order of the Admiralty, of their procuring, and so were forced to Barbados where Mr Furzer and Bridger fell sick of the Feaver three or four days before I left Barbados, contracted by a debauch they made; Mr Furzer dyed, who I believe was the best of the two, but Mr Bridger recovered, followed me hither, and I have sent him to Boston with a letter earnestly recommending him and the design he is imployed in, to their effectual kindness and furtherance a copy whereof I now send your Lordps—Mr Jackson is still here upon some businesse, but is to follow Mr Bridger in a day or two; my letter is directed to the Lieutt Govr Councill and Assembly, and will go to them in a fit juncture of time, because the Assembly of that province are now sitting. One thing I am apprehensive may somewhat obstruct the progress of this design for the present though the Governt of Massachusetts Bay were well affected to it, and that is the Eastern Indians being still in warr with the English of that province (as by a copy of Mr Usher's letter to me your Lordps will see) it will be very expensive for the Province of Massachusetts to maintain a sufficient Guard, for the Surveyors, but if they require it of me, I'll furnish them with forty or fifty soldiers from this and the

Parsimony of the Surveyors for Naval Stores occasioned some disappointment in that affair.

They are now recommended to the Assembly sitting at Boston.

The warr with the Eastern Indians like to be some obstruction.

He will furnish soldiers for their Guard.

The Country abt New York fitter than that about Boston for Hemp and Flax but neither can afford so cheap as Ireland.

other garrisons in this province. I am told this Country is much fitter for producing of Hemp and Flax, than that about Boston, and some persons have been talking to me of encouraging by an act of Assembly, the propagation thereof; but day labour is so excessive dear in this Countrey, that I am jealous it will never do so well here as in Ireland; however, I will give such a design all the Countenance I can, that His Majᵗʸ may be certain of being supplyed with those species here, if he should miss of them else where in his own Dominions. I shall God willing go to Albany about a Month hence (when the Assembly have ended their session) where the Five Nations of Indians are appointed to meet me, and I will try to engage them to fall upon the Eastern Indians that infest the inhabitants of New Hampshire and Massachusetts Bay, if I be not informed in the mean time that those Indians have ceased their hostilities.

He will go to Albany after the sessions ended, to meet with the Five Nations of Indians to engage them against the Eastern Indians.

Promises further evidence concerning Coll: Fletcher's male Administration.

By the next opportunity your Lordᵖˢ shall have such further proofs of Coll: Fletchers male Administration as will to the full equall any thing I transmitt to you by this conveyance. I have been forced to stay the Richmond Frigat eight or ten days for the packetts I now send your Lordᵖˢ and the rest of the Ministers, wherein I have taken a great deal of pains, and have been wholly employed day and night near three weeks in preparing these things for your information and that of the other Ministers.

Coll: Fletcher's sheriffs continued; they make bad returns of Elections, whence great discontents and irregularities in the house.

I have been so moderate towards Coll: Fletcher and his friends that I have turned out none of them, not so much as his Sheriffs, who are complained against for very foul practices in the elections and returns of Members to serve in the present Assembly, notwithstanding my proclamation stricktly forbidding any such practices, by which means great discontents arise among those who are precluded by foul play from their right of sitting in the House, and such irregularities are dayly committed in the House in the point of order, that I begin to despair of their doing any good for His Majᵗʸˢ service or their Countrie's—

Fletcher's artifice to divide the people by fomenting Leislers and the opposite party.

What I have last writt leads me naturally to observe to your Lordᵖˢ the great pains Coll: Fletcher took to divide the people here and to foment the fewd between Leisler's party and the opposite party, and went so far in it as to publish a book (and took the advice of Councill in doing it) to revive the old story of Leisler.—By the next opportunity your Lordᵖˢ shall have that book sent you, and the order of Councill, that directs its being printed, and you will then judge whether this book was not calculated for putting this Town and Countrey into a combustion.[1]

Affidavits against Pinhorne, one of the Councill and a Judge.

I send your Lordᵖˢ two Affidavitts taken against Mʳ Pinhorne by Mʳ Attorney in my presence, he has been of the Councill here, and a great creature of Coll: Fletchers during his whole Governᵗ, and one of the Judges. I gave him fair play by confronting his accusers with him and will turn him out of the Councill and his Judges place next Councill day. Earle is a man of a good estate, I am told in East Jarzie, and I

1 "At a Council held at New York, 4th March 1698. The Cl. of the Council laid before this Board a Letter relating some transactions in this Province found at the printers which was ordered to be read. The Council are unanimously of opinion that it contains nothing but truth, and that it ought to be printed and published with the other papers menconed therein and do desire his Excellency will give direccons for the printing thereof accordingly." *Council Minutes*, VIII., 31. One of the reasons given by Lord Bellomont for removing Bayard, subsequently, from the Council was "that he had advised the printing a fraudulous and malicious pamphlet entitled a Letter from a Gentleman in New York, in which it was endeavored to cast every species of odium upon Leisler and the Revolution he effected." *Dunlap's History of New-York*, I., 239. The Letter here referred to is published in *New-York Documentary History*, 8vo. II., 425; 4to., 243.—Ed.

could see nothing in his or his Mother's behaviour, that made me suspect the truth of their evidence. I will trouble your Lord^{ps} no further at this time, but will observe Your Commands in all points. I am with respect,

My Lords.

Your Lordships most faithful humble servant

New York 25. May. 1698. BELLOMONT.

Graham, Attory Genl serviceable to My Lord Bellomont but none else of the Council.

I must not forget to do M^{r} Graham the Attorney Gen^{l} right in acquainting your Lord^{ps} that all the light and information I have had of the affairs of this Province, are owing to him, he is a man of great sagacity and temper. Not a man of the Councill has ever come to offer me any account of the State & condition of the Province, as if they had sworn allegiance to Coll: Fletcher and not to His Maj^{ty}, but I will very shortly let Your Lord^{ps} know their reserve proceeds from the conscienciousness of their own guilt, and I will prove it against some of them.

Earl of Bellomont to Secretary Popple.

[New-York Entries, A. 366.]

There is so great load of business on me at this time that I am not able to send the Lords of the Councill of Trade all the evidences against Coll: Fletcher that I designed, the Assembly now sitting, and such a world of complaints especially from the Soldiers who have been wronged of their pay, that I have scarcely had time to write those letters to the Lords of the Councill of Trade, and to the other Ministers, that decency obliged me to. And M^{r} Clement my Secretary using me so ill as to stay behind me has been a great disappointment to me and occasioned to me great pains and trouble. There is an inconsistence in my Instructions which I desire may be rectified. I am made Capt^{n} Gen^{l} of the Militia of the Jarzies, and yet I am by a particular instructions to forfeit half my salary and perquisits to my Lieu^{t} Gov^{r} for and during the time I am out of this province or any of those under my Govern^{t} The like inconvenience I should suffer if I went into Connecticut Province. M^{r} Stauly who is my particular friend will shew you an essencial fault in my Lieut^{t} Gov^{r} of New York's Commission, which I desire may be rectified at the same time with the others I have mentioned to be in my instructions; I desire you will please to send to M^{r} Stanley to communicate that matter to you. I also desire you will move the Lords of the Councill of Trade to ascertain, what fees and perquisites do properly belong to me when I am absent from any of my Govern^{ts}—for example, when I am in Boston Govern^{t}, whether my Lieu^{t} Gov^{r} of New York shall be entituled to the perquisits of New York Govern^{t}, which are seizures of ships a 3rd part as p^{r} act of Parliament, Probates of wills, Lycences of Marriage, fines and forfeitures and passes for ships —As for the first, which is seizure of ships, the Act of Parliament puts that out of doubt in my opinion, since it apropriates that perquisite to the Gov^{r} only, at the same time it gives him the nomination of a Naval Officer, and the Act takes no notice of a Lieut^{t} Gov^{r} or Commander in chief for the time being: As for the other perquisites also, I desire their Lord^{ps} oppinion and determination, whether by my removing from one Govern^{t} to another as my duty obliges me, I am to be a looser and sufferer; for, every Journey will be very expensive to me, and I will

undertake to make it appear, that at that rate my Lieut^{t} Gov^{r} will have a better time of it then I shall. Let me intreat you to dispatch to me their Lord^{ps} order in the foregoing matters. I send you copies of my French letters to the Count de Frontinac Gov^{r} of Canada and Mon^{sr} de Caliere Gov^{r} of Montreal (both in the same sheet of paper) and also of my instructions to the persons I charge with those letters, and who were sent to notify the peace to those Gov^{rs}. If you think it worth a while, I desire you will shew the letters and Instructions to their Lord^{ps}.

I shall covet to maintain a more than ordinary strict correspondence with you, resolving to inform you of every transaction here and in my other Govern^{ts} however minute it be. I am

Sir

New York 25 May 1698. Your Affectionate humble servant

BELLOMONT.

P. S.—Since I writt this letter I have shewed my Instruction which subjects me to the losse of half my sallary and perquisits to my Lieut^{t} Gov^{r} whenever I absent myself from any of my Govern^{ts} to a friend or two that are Lawyers, and they are of opinion it entitles me to all the perquisits so long as I am within this province or in my other Govern^{ts}, provided I go not out of New England, but they say it is darkly worded and ought to be better explained. I send you a copy of that very instruction that you may the better know my meaning, and I desire you will please to discourse with M^{r} Stanley before you propose that matter to the Lords, and then move for a plainer Instruction.

My humble service I pray to M^{r} Lock, & hope this last severe winter has not prejudiced his health, the sure way of conveying letters to me is by the way of Boston, whence the post comes every week to this place. I desire you will send to the pay office to prevent Coll: Fletcher's receiving any part, for I shall prove great sums of money upon him which he has defrauded the Officers and Soldiers of here.

Earl of Bellomont to the Lords of the Treasury.

[New-York Entries, A. 340.]

To the Right Hon^{ble} the Lords of His Maj^{tys} Treasury:

My Lords.

I entred on the Gov^{nt} of New York the second day of April last and (as one of the most material parts of my duty to His Maj^{ty}) I have made a most strickt enquiry into His Maj^{tys} revenue arising from the Customes and I do find that Officers thereof have been most corrupt and negligent, and that there have been the greatest abuses committed in relation to Trade (which without being acquainted with the particulars) may most reasonably be inferred by the Trade this port hath had which is double to what it was ten years since and the City grown vastly rich and populous and encreased to double the number of houses; and yet by comparing the accounts of the customes I find them greatly decreased, and on enquiry I am informed there hath been a most lycencious Trade with Pyrats, Scotland and Curaçao, and the Collector here M^{r} Chidley Brook is most extreamly backward in

Great corruption in the Officers of the Customs at New York,

inferrable from comparing the encrease of the place and trade with the decrease of the Customes.

Trade with Pyrats, Scotland, and Curaçao,

Mr Brooks much suspected.

the discharge of his duty, and this I find by my own observation since my arrival here, and I am informed of some of his actions, which do not suit with the trust reposed in him, which when they are made evident to me I shall forthwith suspend him from his Office, and put another in, that may be more faithful in that Imploy, untill your Lord^{ps} pleasure shall be signified to me therein —

Thro' connivance of the late Governt a seizure ordered by the Earl seem'd a violation of their property.

The late Govern^{t} hath connived at those Lyberties of breach of the Acts of Trade, and the Merchants here are so accustomed thereto, that on a small seizure I ordered to be made, just after my arrival here on some East India goods imported in an unfree bottome, the whole city see n'd to be in an uproar, and lookt on it as a violent seizing of their property. I shall not be discouraged but proceed to take care that the acts of trade shall be duly observed as my oath obliges me, and if possible I will find out trusty officers that shall justly observe their oath and duty to assist me, of all which I shall give your Lord^{ps} a constant account.

Want of a distinct Naval Officer and a Register, cause, that ships without certificates may be seized in their ports as some are here, who giving security have time allowed.

There was no Naval Officer distinct from the Collector, nor any register appointed by the late Gov^{r}, whereby inconveniences will arise to ships belonging to this Port, who have taken no certificates from hence and will therefore be seized in other ports, as we have seized several ships here on the like occasion, but by consent of M^{r} Randolph Surveyor Gen^{l} of the Customes and the Collector here, I have admitted the ships to give in security to the value that they shall in a certain time produce certificates for the said ships from the places they belong to, and that no fraud shall be, or injury to the King thereby; I have permitted them to load and proceed in their voyages, and this method I hope your Lord^{ps} will approve of.

Mr Palmer appointd Naval Officer etic upon £5000 security.

I have appointed M^{r} Thomas Palmer Navall Officer and Register of this province, who is of good reputation and hath given in to me sufficient security of £5000 for the just discharge of the Offices, which security shall be given to whom the Hon^{ble} the Commiss^{rs} of the Custome shall please to appoint.

Proceeding about the project of the Jerseys.

I have refused to permit Proclamations to be printed in this City by the Gov^{r} of the Jerseys publishing that Perth Amboy and Burlington are free ports, because I find that the laws of this Province do raise a considerable Revenue for the support of this Govern^{t} from Customes on Goods, which the ports in the Jerseys will be free from, and the port of Amboy being but twenty mile from this, The Merchants will all transport themselves thither, and carry away all the trade to the destruction of this Govern^{t} I thought this affair of so great consequence, that I have likewise given this account thereof to the Lords of the Councill of Trade, that I may have His Maj^{tys} pleasure therein for my direction.

I shall justly observe the instructions I have from your Lord^{ps} in relation to Trade and shall take care, that such accounts as you have ordered shall be from time to time transmitted to you.

Computation on comparing the Revenue of 1687 with those of 1692 etic.

I have sent your Lord^{ps} inclosed N^{o} 1. an acc^{t} of the produce of the revenue of New York for the year 1687. and comparing it with N^{o} 2. an acc^{t} of d^{o} for the years 1692, 1693, 1694, 1695, 1696. 1697. Your Lord^{ps} will be convinced that the decrease of the Revenue in a place so extreamly increased and inriched by Trade as this City is, must be occasioned either by the connivance of the Govern^{t} or corruption or neglect of the Officers or alltogether; which do make it highly for His Maj^{tys} service and encrease of his Revenue, that greater assistance of more faithful officers should be given me, that the acts of Trade may be observed amongst this people, who hitherto have had so small a regard to them

BELLOMONT.

New York May 25th 1698.

Earl of Bellomont to the Commissioners of the Customs.

[New-York Entries, A. 353.]

To the Hon^ble^ the Commissioners of the Customes.

Gentlemen.

I have by this conveyance given an account to the Lords of the Councill of Trade and the Lords of the Treasury of His Maj^ties^ revenue arising from the Customes of New York, which have for these several years past been much inferiour to what they have been ten years since, as will appear by comparing N° 1 & 2 enclosed; and yet the Trade hath been vastly greater and this city much encreased, the cause of which hath been the connivance of the late Govern^t^ and the neglect and corruption of Customhouse Officers. I have already given a check to their lycencious Trade and ordered a seizure on goods imported in an unfree bottome; But the observance of the laws of trade was so great a Novelty that it gave as great discontent as if it had been an infringement of their charter. I have some informations of the ill behaviour of M^r^ Chidley Brooks, which, when the proofs appear I shall transmitt them to you, and I fear be forced to suspend him, who, in my own observation, hath been most remiss and backward with good Officers to assist me. I am well assured the revenue of the Customes would be much advanced, in which I shall take all the care imaginable. M^r^ Randolph the Surveyor Gen^l^ I find is an active understanding Officer, but his employ won't suffer his long attendance at one place; he was here last, but is now gone towards Boston. He acquainted me, that he would in his letter to you, mention how ships in an unfree bottoms and prohibited goods, do frequently unlade in Connecticutt, without interruption, and then the empty vessells come up to New York there being no provision as yet made of officers in that Colony. There are likewise several ships from this Port that go to Madagascar and there (as is supposed) do Trade with the Pyrats, nor do we know how to remedy it. I have just received His Maj^tys^ orders in relation to the Ports of the Jersies, on which I publish^d^ a Procl^tn^ (inclosed N° 3) which hath given great satisfaction to the Merchants here.

Customes of New York decreased.

Customhouse officers corrupt.

Goods in an unfree bottom ordered to be seized.

Mr Brooks assists not the Earl.

Mr Randolph commended.

Want of officers in Connecticutt.

Trade with Madagascar needs remedy.

Procln relating to Jersies published.

An arrest was lately laid on Mr. Randolph in this city on account of a seizure he made in Virginia, which was regularly made by him in discharge of his Office. I considered that if such vexation and trouble were permitted to be done him, the Kings service could never be done, for an arrest might be so timed as to prevent a considerable seizure, and his securityes at home, are lyable to any of his mismanagements; and yet I could not tell how to stop the regular course of the Law, all I could do was to sent for the parties and tell them how ill I took their proceedings against a King's Officer, what damage it might be to the King's affairs, and that they should look to it, that they had good cause of action, or they should for ever have all the discountenance I could give them. However, ordered security to be given in for M^r^ Randolph and he proceeded towards Boston—I wish some method could be found to prevent for the future such rubbs in the Officers ways, and that I may have directions therein. I have not at present to add but Am

Mr Randolph arrested on accot of a seizure made by him.

Earl of Bellomont has him bayled.

Prays directions for the future.

Gentlemen.

Your most humble and faithful servant

New-York 27^th^ May 1698. BELLOMONT

Mr Palmer made Naval Officer under £5000 security

I have appointed Mr Thomas Palmer Naval Officer here having a good character of him and 5000£. security for his faithful discharge of the said Office which Bond I shall deliver to whom you appoint to receive it.

Earl of Bellomont to the Lords of Trade.

[New-York Entries, A. 396.]

To the Right Hon^ble the Lords of the Committee of Trade.

My Lords,

Acct of the several letters and packetts sent formerly by the Richmond Frigatt.

I sent your Lordships several packetts by the Richmond Frigat, who had my sailing orders the 29. May last, and in them letters of the 8th, 18th & 25th May with copies of my letters to the Lords of the Treasury, to the Lords of Admiralty and the Commissioners of the Customes with papers referred to in them, duplicates of all which I send your Lord^ps by this conveyance. And this is to inform your Lord^ps what further proceedings I have made for His Maj^tys service in this my Govern^t

The male Administn of the last Govern^t makes his Administn difficult.

The Male Administration of the late Govern^t hath so corrupted and debauched the minds of most that I have found in Authority here, that I meet with the greatest difficulties and obstructions in the discharge of my duty. Coll. Fletcher

Coll: Fletcher's management of the Councill & their complyance with him.

had so managed the Councill here by gratifications of grants of lands, connivance at their unlawful trade ettc (which I have hinted in my last letters to your Lord^ps) that on perusal of the Councill books, I do not find, that they would contradict him, but joined with him in almost every thing that was proposed to them altho' never so extrajudiciall.

Since Mr Nicolls removal from the Councill he has had evidence of Mr Nicolls making a bargain with several in the country for £400 for passing an act prejudiciall to New York which was passed by Coll: Fletcher and part of the mony received.

I gave your Lord^ps an account of my removal of Mr William Nicolls (chief Broker in the matter of protecting Pirates) from His Maj^tys Councill, since which I have evidence of his making a bargaine with several of the country, for passing an Act of Assembly to the prejudice of the City of New York and by Agreement was to receive four hundred pounds for the same, which Act did pass by Coll: Fletcher's consent and thereon part of the money actually paid to Nicolls the rest due by obligation, he being at that time one of His Maj^tys Councill and received this reward for his endevours therein, and by all reasonable inference a Factor for Coll: Fletcher in this matter, as well as in the business of protecting Pirates, as may appear by the enclosed (N° 1.) I do not question, but to obtaine much further proof of that matter which, when it comes to my hands, I shall transmitt to your Lord^ps. I hope your Lord^ps will prevent so evill an instrument from being restored to the Councill. Since my removal of him, he hath

Nicolls and the Merchants caball against the Earl of Bellomont.

been most industrious in making Caballs, and incouraging discontents, and as I am informed proposing privately, that a Bank of money shall be raised by the Merchants, who have their unlawful trade now interrupted, and some persons to be imployed as their agent to go home, to make complaints of I know not what wrongs done by me. But I am well assured of myself, as I am [of] your Lord^ps Justice, and that I shall be supported in doing my duty, against all that pretend to be aggrieved at it. On the motion of

He fears he shall be obliged to send Mr Nicoll home a prisoner.

the Councill, I was prevailed on not to send him home a prisoner, on the account of his dealing for Pirates, but I fear I shall be forced to do it for the Quiet of the Govern^{t}.

Mr Pinhorne suspended from the Councill for scandalous words agst His Majty.

Since his suspension I was obliged in duty and honour to His Maj^{ty} to suspend one William Pinhorne from the Councill, for speaking most scandalous & reproachful words of his Maj^{tys} person. The proofe was plaine and full, and

He now sends the depositions agst Pinhorne,

he confronted, when the depositions were taken, which are inclosed, and the persons that made them of good reputation. To which Pinhorne hath written a most false and foolish defence which was read before myself and Councill and rejected, as p^{r} the papers relating to this matter (N^{o} 2.) This man, Coll: Fletcher found

who was turned out of the Councill by Fletcher, but by means of a present to Coll: Fletcher was readmitted & made Judge of the Provincial Court with a salary of £100 pr annum and had great grants of land

one of the Councill but turned him out at his first arrival here, because he was an Inhabitant of the Jerseys, and a nonresident of this Govern^{t} as appears by the minutes of Councill; but he presenting Coll: Fletcher with some plate, and by some other proper methods being thought a fit tool for him, he was again made of the Councill by Coll: Fletcher and made a Judge of this Province with £100 p^{r} annum salary, and had great grants of Lands made him by Coll: Fletcher.

Pinhorne of a scandalous character he has cheated one Wooley out of 4000£, and purchased an Estate with it.

Besides his disaffection to his present Maj^{ty}, this Pinhorne (as I am informed) is a person of a most scandalous character being Imployed in this Province a servant or Factor for one M^{r} Woolley, a woolen draper near Algate in London, who intrusted him with four or five thousand pounds of goods which this Pinhorne (as is said) hath converted to his own use, purchased an estate with it in Jerseys, and forthwith makes conveyances of the said Estate to the use of his wife and children, that it may not be liable to M^{r} Wooley's demands for which a suit is now commencing by M^{r} Wooley's Attorney here; I have likewise suspended him for the aforesaid reasons from being a Judge of this Province, and I am persuaded your Lord^{ps} will not restore so scandalous a a person, so justly suspended by me.

Mr Chidley Brooke suspended from the Councill and all other offices.

At the same time that I suspended Judge Pinhorne from the Councill, I likewise suspended M^{r} Chidley Brooke from the Council and from his Offices of Collector of the Customes and Receiver Gen^{l} of New Yorke, for that of my own

His reasons for it.

knowledge he hath been most careless, negligent and backward, in the discharge of his offices, and that thereby His Maj$^{ty's}$ revenues has visibly decreased in the customes, in a place where Trade hath greatly advanced, as will appear to your Lord^{ps} by the accounts and other papers inclosed N^{o} 3. which I have likewise transmitted to the Lords Commissioners of the Treasury. In this I consulted with M^{r} Randolph surveyor General of the Customes here, and a diligent officer, who gave me his judgement on the matter under his hand, and I could not believe that a man so faulty, in so great a Trust, was worthy to sit, or capable to give me faithful advice, as one of the Councill, and I hope for the same reason your Lord^{ps} will not think him fit to be restored. He was indeed a great Devote to Coll: Fletcher, which he could not have been unless he would have joined in conniving at an unlawful trade in this Citty, and

The advantage of Mr Brooke's imploy.

at my first arrival Coll: Fletcher himself told me, that M^{r} Brook's imploy was of more profitt and better, than the Governt of this province, which can only be so by unlawful gaines, he having made but very few seizures in six years time.

Mr Brook first advanced by the Earl of Bellomont's Father.

I have thus dealt with this Gentleman purely in discharge of my duty to His Maj^{ty} which no consideration shall direct me from, for M^{r} Brooks being borne in one of my relations families in Ireland, was first preferred by my Father and

then put into the Customs by the Earl of Bellomont's interest, who is bound in £2000 for his fidelity.

afterwards advanced in the Customs by my own interest, and I myself am security in two thousand pound bonds for his just discharge of the Office of Receiver General and Collector of the Customs of New York, which I am liable to in England. The minutes of Councill at my suspending of Judge Pinhorne and Mr Brook are inclosed.

Brooks & Nicolls appointed by an Assembly, corruptly called, to be Agents in England;

they had a thousand pounds to defray their expence in opposing an Act reversing the attainder of Leisler.

and to get the act for which Nicolls bargained (as above) past in England.

I may further, too, observe to your Lordps that Mr Nicolls and this Mr Brooks were imployed by Coll: Fletcher (and an Assembly which was most corruptly called by him, as I doubt not in proper time to demonstrate to your Lordps) to be Agents in England, and had one thousand pounds of the Countreys money, to defray their expences, to oppose an Act of Parliament for the reversing the attainder of Leslier, Miburn and others most unjustly executed here, for their forwardness in the late happy revolution and to get passed at home, an act of Assembly passed here about Bolting of Flower for which Nicolls had the £400. as aforesaid, and indeed all that are disaffected to the present Govern[t] Papists and Jacobites have been the Intimates of Coll: Fletcher, and have been imployed by him in the severe persecution, of all that favoured Leslier and his party, instruments of the Revolution here.

Coll: Fletcher's chief instruments have been Papists and Jacobites.

Coll: Fletcher's Sheriffs were all scandalous prsons and notwithstanding the Earl of Bellomont's Procln, have made eleven false returns of Assembly men out of nineteen that the house is composed of.

Another difficulty I severely labour under is: that I found the Sheriffs of the Counties here, appointed by Coll: Fletcher, to be of the scum of the people, Taylors, and other scandalous persons, who notwithstanding my proclamations stricktly commanding all fairness of elections, and legal and just returns of Representatives, for the Assembly last sitting, have expressly contrary to their oath, and duty, most apparently made corrupt and false returns of Members, in so much, that of nineteen persons that make up the members of this Assembly eleven of their elections were disputed, but they being a Major vote of the house have established themselves,

six of the house made a remonstrance to which three others agreed, but it was rejected.

The six withdrew and made a protestation.

and have proceeded with the greatest confusion and disorder imaginable, which hath occasioned six of the nineteen, to make a remonstrance to the house, which three others consented to in the house, which made nine of the nineteen but the major part rejected it, on which the six withdrew, and did petition myself and Councill and made a protestation against the proceedings of the house, both to the house and to myself and Councill, but as I have in nowise followed my predecessors

But he has not medled with what is their rights and liberties.

steps, in managing elections, so neither have I interposed with the rights and liberties of the house of Representatives, but being so well convinced on on what corrupt grounds this Assembly have proceeded on, in consideration thereof, and the

He has dissolved the Assembly who have used villanous tricks to justify the Sheriffs returnes.

aforementioned petition and protestation I have thought fitt to dissolve this present Assembly, who have sat near a month and have done nothing but villanous tricks, to justifie the falseness and unfairness of the Sheriffs returns. Had I permitted this Assembly to have sat and acted it would have justly given, a general discontent to the people who had few true representatives amongst them, after the Remonstrants had left them. The papers relating to this Assembly are N° 4.

He will appoint better Sheriffs and call another Assembly.

I shall forthwith appoint better men Sheriffs in the several Counties and call another Assembly who may enact laws to unite the minds of the people and do

An instance or two of the Sheriffs undue returns.

their King and their Country service and I shall only give your Lordps these two instances of the Constitution of this last Assembly. The first is that a writ being directed to one Sheriff as Sheriff of the City and County of York and County of Orange

to returne four persons that should be elected by the Freemen and Freeholders of the said Citty and Counties, the Sheriff hath returned four persons and by his Indenture under his hand & seal affirms that the four persons that he hath returned were Elected by the Freemen and Freeholders of the Citty and County of New York and Orange County, when at the same time it is evident, and he himself acknowledges, that he did not permitt one Freeholder of the County of Orange to have a voice in the Election of these representatives, and secondly these four persons so unjustly returned (ioyning with other disputed members) have excluded two others from sitting in the Assembly who were fairly Elected and returned for Counties, and sworne, on pretence that they are under an Attainder on account of their forwardnesse, in the late Revolution whereby they have raised a flame, by stirring up the remembrance of those unjustly executed for the same, and shewed their malice against the present established Govern^{t}—And the whole of the remonstrance and the petition of the Remonstrants appearing to be truth. I find by what unjust measures the former Governour procured pack'd corrupt Assemblies to gratifie his pride and avarice, but I shall alter the method and restore the blessing of an English Govern^{t} by a free and fair Election of Representatives, altho' it will cost me much time and a great deal of trouble to purge corruptions that have taken such deep root here.

it will cost him much trouble to purge the corruptions of that Govrnt.

I have in other letters given your Lord^{ps} an Acc^{t} of a frequent trade between this Port & Madagascar; for when the Pirates who had Commission from this Port, had taken prizes in the Indies or Red Sea they brought the spoiles to Madagascar and then Merchants ships from this port were fitted out by the owners of such Pirates ships, and others who ladded here publickly with goods usefull to the Pirates, as Liquors, Arms and Gunpowder, and these ships returned back to this port with East India goods, either purchased from the Pirates or belonging to them, and the Owners that set them forth, as will appear by a deposition (N° 5) concerning the ship Fortune, who tho' an unfree bottom, had Commission from Coll: Fletcher to be a Privateer—But laded publickly at this Port, went to Madagascar and tooke in East India goods there, out of [a] private ship [of] one Capt^{n} Hore who had likewise a Commission from Coll: Fletcher some of which goods and the Ship Fortune at her returne, [I] procured to be seized since my arrival here, and are both condemned in the Court of Admiralty of New York as will appear by N° 6. At this the generality of the Merchants (there being two and twenty owners of the lading) are so incensed, that as they corrupted most of the evidence, that it was hard to procure enough to condemne the goods and the ship, so they have terrified those that were evidence, that they resolve to remove from among them; and the Merchants do daily curse and threaten those few persons that have assisted me in His Maj^{tys} service.

Trade between New York and the Pirates at Madagascar.

An instance. The ship Fortune traded with Hore, both commissioned by Fletcher

The Fortune condemned since his arrival.

The witnesses threatened—are forced to remove: all who assist Earl of Bellomont are also threatened.

The sixth instant four Merchant ships laden here and bound for Madagascar came to me to be cleared. I delayed them until I called the Councill, and offered to them that I had just reason to suspect that these ships bound for Madagascar, designed to trade with the Pirates, to supply them with necessaryes, and to bring thither their goods, and therefore believed it necessary that each ship should give in good security not to trade with Pirates: but the Councill (some of them being concerned in these ships) unanimously opposed this method, as not prescribed by Law, and because it was never practised here before, so that I was forced to discharge the said ships, and permitt them to go on their voyage as will appear by the Minutes of that Councill. The same day I had

His proceedings in Councill about four ships bound for Madagascar.

He has caused some East India goods not legally imported to be seized.

intelligence of East India goods that were not legally imported at one Mr. van Sweeten's house and I forthwith sent the Collector and searcher of the Customes to seize there; who found them and seized them: But a Tumult of the Merchants was made who came to Van Sweeten's house, and according to their advice

The Officers who did it were imprisoned by the Merchants and in danger of being murdered. He rescues them.

the said officers were locked up and imprisoned for three hours before I had notice of it, and then my intelligence told me the officers were in danger of being murdered; I thereupon sent the Lieut^{t} Gov^{r} and three files of men with my servants who broke open van Sweeten's doors, and freed the Officers from their Imprisonment, and assisted them in carrying the goods seized to the Custom house. On this

His further proceedings thereupon.

van Sweeten put in a false and scandalous petition, and thereon I summoned a Councill, and had the whole matter heard before them, who have made a minute of Councill thereof. The depositions relating to this seizure and imprisonment of the Officers, and other papers are inclosed N^{o} 7.

Another seizure lost

The next morning I againe sent for the Custome Officers and acquainted them where they might make another seizure; whereupon M^{r} Monsey (whom I constituted one of

one of the officers refusing to act any more. He was Mr Brooks's creature.

the two Commissioners for executing M^{r} Brooks's office, and who was before chief searcher for these six years past) told me: that indeed he would officiate no longer in his office, and desired me to nominate another and would not give me any reason for it but laid down his Imployment. And for want of an officer that day I missed of seizing one thousand pounds worth of goods which were immediately after conveyed to some other place. I must observe to your Lord^{ps} that this Monsey was brought over thither by M^{r} Brooks as his servant and hath been imployed as searcher under him, but without doubt hath had as good a correspondence with the Merchants here as his Master, otherwise he would never have thrown up his Imploy (which he had accepted from me but five days before, and which advanced him from £50 p^{r} annum which he had before as searcher, to two hundred pounds p^{r} annum as Commissioner) but he found that now he must be kept to his duty, and disoblige the Merchants, and therefore he would act no longer; and besides, he came that morning to me to lay downe his Commission, from discoursing M^{r} Brooks (as he confessed to me) and 'tis reported he goes for England with M^{r} Brooks to endevour to Justifie the

He has writt to the Lords of the Treasury upon this.

proceedings of his Master in his Imploys here. Of these matters I have wrote largerly to the Lords of the Treasury a copy of which is inclosed.

These things have set the Merchants against him

His difficulties and their designes against him explained.

These proceedings of mine amongst the Merchants have raised their minds against me, and hath so influenced even the Councill that I have very little assistance given in the Govern^{t} And I find the designe of the Merchants is both, to give me disturbance at home by unjust complaints, and to make me uneasy here, by scandalous reports, and drawing back and opposing me in every thing (for on the forementioned seizures, three Constables were sent for but would not be found, and the Sheriff was one of the chief persons concerned, and had great quantities of East India goods in his house, which I narrowly missed of seizing, so that he could not be trusted, and the violence offered to the Custom Officers requiring a speedy assistance, made me send the King's Soldiers in pay with the Lieut^{t} Gov^{r} to break open the doors to release them which now they make a great clamour at and threaten severe complaints home, and their hopes and boasts are either to prevaile on your Lord^{ps} that I may be recalled, or else make me so uneasy here that I may desire it myself. But since I seek for no advantage for myself, but with great difficulty pursue His Maj^{tys} interest, I do not question but your Lord^{ps} will give all

discouragement to these their wicked contrivances, and that I shall rather deserve thanks from my Prince for doing my duty.

Coll: Fletchers abuse of the Soldiers.

I must represent to your Lord^{ps} the miserable condition of the King's forces are in, which obliges me to take notice of the carriage of the former Governor who used the soldiers so barbarously that they deserted, and left the companies so Empty at my arrivall, that instead of one hundred men according to the Establishment, my company hath about thirty five centinells, scarce sufficient to relieve the duty, for altho' the pay is thirty pounds per cent worse then sterling, yet Coll: Fletcher deducted out of each private man subsistance one half penny p^{r} diem, which for four hundred men, makes seventeen shillings p^{r} diem for several years, which makes a considerable summe that the Soldiers have been cheated of, besides what the King hath been wronged in Col: Fletcher's sending home full Muster rolles, when there hath not been half the number effective men. Besides, this province as an encouragement gave the King's soldiers an additional pay of four pence p^{r} day, great part of which was pocketted by Coll: Fletcher, and never given the men, which caused them to desert, he likewise with his officers made great advantages of the souldiers labour, obligeing them to pay for anothers performing their duty and to give their subsistance to him and his officers for liberty to exercise their Trades. These hardships, which made many desert, I have taken of them, and have new clothed the forces, and yet feare I shall not be able to recruit, and fill the companies, without sending an Officer for England; At present our companies are so weake that should a war breake out our fronteers not being guarded this province will be in great danger; but a full account of the State of these companies of their wrongs and abuses, shall in a short time be laid before your Lord^{ps}.

He cheated them of their pay.

sends home false muster Rolls.

Other hardships upon the soldiers: Acct of what the Earl of Bellomont had done for the soldiers.

He has now got full proof of Coll: Fletcher protecting Rayner a Pirate which he now transmitts; as also An acct of all Coll: Fletcher's male administration.

Since my last I have gotten full proofs in relation to Coll: Fletchers protecting the Pirate Rayner, one of Every's crew with his reward for the same, which I now transmitt N^{o} 8. There will likewise be laid before you, an account of all the male Administrations of Coll: Fletcher in this Govern^{t}, with the proofs of them, which will convince your Lord^{ps} how much His Maj^{ty} hath been injured and dishonoured by him, and by what means he hath so generally corrupted the people here, that they are and will be in a conspiracy against any Governor, that regards the King's honour, and just execution of the laws, and endevour to make him weary of the Govern^{t}, as they give out they designe to make me, and altho' the pension His Maj^{ty} allows me as Governor here, is very small, yet I shall not be tempted to inrich myself, by shareing with them in the gaine of their unlawful trade.

Brooks and Pinhorne were two of Captn Leslier's Judges.

Your Lord^{ps} will likewise find, that as the two Gentlemen removed from the Councill by me viz: M^{r} Brooks and M^{r} Pinhorne, were two of Capt^{n} Lesliers Judges who, I find, was most barbarously murthered for his forwardnesse in the Revolution here, so the late Governor made advantage to divide the people by supposing a Dutch and English interest to be different here, and therefore under the notion of a Church of England, to be put in opposition to the Dutch and French churches established here, he supported a few rascally English who are a scandall to their nation and the Protestant Religion, and here great opposers to the Protestant Religion, and who joyned with him in the worst methods of gaine and severely used the Dutch, except some few Merchants, whose trade he favored, who ought to have an equal benefit of the English Govern^{t} who are most hearty for his present Maj^{ty}, and are a sober industrious people and obedient to

Coll: Fletcher made divisions amongst the people.

Govern^{t}. I have the consent of the Council in nominating an Agent for this province that according to your Lord^{ps} direction the affairs and state of this province may from time to time be represented to you. And I have therefore under the great seal of this province, constituted Thomas Weaver Esq: to be agent, and have given instructions to him to attend your Lord^{ps} accordingly, he is a person of good education and repute and hath served His Maj^{ty} as Attor: Gen^{l} of the Leeward Islands, with an unspotted reputation, he hath been known to me these many years and hath been an eye witness of all that passed since my entrance on this Gover^{t} & is prepared with full informations to lay before your Lord^{ps} the State of this Prov^{ce}, to whom I hope your Lord^{ps} will give credit being myself answerable for his integrity, & just discharge of his trust, and therefore I hope he will have your Lord^{ps} countenance and favour in his addresses to you, on the account of this Province or in relation to my particular affaires, for all which he will have constant instructions from hence to attend your Lord^{ps} best leisure with them — I am with respect — My Lords,

by Advice of the Councill Mr Weaver is appointed Agent.

Your Lordships most humble and faithful servant,

FELLOMONT.

New Yorke June the 22nd 1698

Earl of Bellomont to Secretary Popple.

[New-York Entries, A. 431.]

To M^{r} Popple

Sir.

Mr Weaver sent as Agent.

M^{r} Weaver the bearer being appointed Agent for this Province, and carrying with him evidences and vouchers of every thing done here since my being in the Govern^{t}, I shall be the shorter and less troublesome to you in this letter, only, that I must recommend him to your Friendship and favour, and that you will be pleased to give him opportunities, as often as he applies to your Board, to be heard to all businesse relating to this province, or myself particularly. He is a Gent^{n} of the Law whom I have long known, and whom I dare comend for an honest man, and of good understanding; he will deliver you Coll: Romar the Engineers Report (among other papers) of the condition of the Frontier Garrisons and places; they are of my transcribing, and you must not wonder at the badness of the French, 'tis his own and such as he speaks; I desire you will lay those Instructions of mine to Romar, and his two letters to me by way of Report before the Lords of the Council of Trade, because one of His Maj^{tys} instructions to me is to give an account home of the fortified places.

The Engineer Report of the condition of the frontier garrisons sent.

Clamours against the Earle of Bellomont.

The Merchants in this town, have upon my inspection into the Trade raised such Clamour that I shall be impatient to receive orders from your Board in answer to the representation I make by M^{r} Weaver to their Lord^{ps}, for nothing but the Ministers countenance to me will mortifie them, and bring them to a right temper; therefore you will do me a singular kindness, to quicken the Lords of the Councill of Trade to send me orders as soon as tis possible, after M^{r} Weaver's arrival in England, for I do not see, how I can stir from hence to my other Govern^{ts} till I receive orders upon the representation I now

make home, and Mr Weaver will tell you some reasons for it which I do not think fitt to write. I desire you will please to send or deliver my letter to Mr Penn. I am with much esteem

Sir—Your most humble servant

New York June the 27th 1698. BELLOMONT.

P. S.—7th July 1698.

Since my letter was, as I thought, ended, a ship is arrived here from London which has brought me (besides several duplicates of letters from their Lordps of the Councill of Trade) a letter of the 21st of last March, intimating His Majtys just resentment against Piracy so much incouraged from His Majtys Plantations, and also recommending the passing such an Act of Assembly agst Pirates as was passed in Jamaica, a copy whereof was sent along with me from England. I shall observe their Lordps orders in endeavouring to get the same Act to passe in my three Governts. There is an Act passed here against Privateers and Pirates which I send now to their Lordps by Mr Weaver; if it be not approved of, I will try to get the other to pass here, and hereafter in Massachusetts Bay and New Hampshire, but the people here are so out of humour at present, that I do not think it fit for me to call another Assembly, or leave this Province till I receive some new orders from England which shall put a censure upon the late Govrs Administration which is the source of all the difficulties I meet with, and supports the insolence of his party; but if Coll: Fletcher's Administration here meets with that discountenance and punishment in Engld which in my poor judgement it deserves, the people here will be as tame as Lambs, and all their ill humour will vanish, and then I need not doubt but an Assembly will be tractable in continuing the Revenue to His Majty, which is the thing I cheiftly stickle for. I desire you would urge two or three things to their Lordps above all others, that I might have a power to vacate all Fletcher's grants, which are so extravagant, that the province can never be peopled, there are half a dozen of his grants that come not much short of Yorkshire, for extent of land, and the persons that are the grantees have no merit. One Henry Beckman a Lieut Coll: in the Militia has a vast tract of land as large as the midling county of England, for which he gave Fletcher a hundred dollars, about 25 pounds English, and I am told he values his purchase at £5000. The Mahawcks land, 50 miles in length, I hear the Grantees value at £25,000. Coll: Smith's grant in Long Island alias Nassau Island cost him I am told but fifty dollars, tho' worth more than any grant of 'em all. And so of several other grants, a list whereof I send by Mr Weaver. He has granted away and sold all the conveniencies of a Govr here (viz:) a Farm call'd the King's Farme, he has given to the Church here, but 'tis observable, his devotion did not carry him to do it till he heard I was certainly to superseed him part of that Farm, which is meadow ground and a scarce thing here, he sold to Capt Evans commander of the Richmond Frigatt, a character of whom I have sent home by Mr Weaver in several depositions of his misbehaviour here; part of the King's garden too he has granted and sold to one Heathcote a Merch, so that I am to be robbed of my conveniencys that is of a place where to keep a horse or a cow for the use of my Family; I shall think Fletcher has the best luck with his insolence and corruption that ever any Govr had. I have given all the discountenance to Piracy that I am capable of doing, and that is one article which raises their clamour against me in this town; they say I have ruined the Town by hindering the Privateers (for so they call pirates) from bringing in a £100,000 since my coming;

Letters from the Councill of Trade read.

Acts about Piracy.

The people out of humour. so will not yet call an Assembly.

he desires some new orders to put a censure upon Coll: Fletcher's Administration.

which will make the people complyant & submissive.

He desires a power to vacate Coll: Fletcher's grants.

His reasons

extent of the grants.

a list of Grants sent by Mr Weaver.

The King's farm, the King's garden granted away.

His discouraging Piracy makes the people clamour.

They say he has ruined the town

Mr Weaver whom I made King's Council here in two or three causes before myself and the Councill, for inveighing ingeniously enough, & smartly against the unlawful trade of the Merchants and the mutinous disposition they have put the people into, they bear him such a grudge that his life is threatened, and therefore I must desire you will in my name request their Lordships of the Councill of Trade to afford him their protection in case there shall be any attempt made against his person or reputation. I know him too well to fear any just defamation they can charge upon his reputation —

Mr Weaver's life in danger for speaking against illegal trade.

He desires Mr Weaver may be protected.

Earl of Bellomont's Instructions to Colonel Romar, and his Answers.

[New-York, C.D. C.55.]

My Instructions to Coll: Romar.

By His Ex^cy &^c

New York.

You are forthwith to transport your selfe to the City of Albany and to view and survey y^e fortifications of y^e s^d City as likewise all other fortifications of the County of Albany, and more particularly the fort of Skenectade, and you are to make report to me of the state and condition of the s^d fortifications, as likewise what new fortifications are necessary to be made in the s^d County for security for the frontiers of this Province in case of War and Invasion, a full account of which you are to transmit to me for his M^ts service.

Given under my hand this 17 day of May 1698

BELLOMONT

To Côll. William Romar
his M^ts Chief Ingeneer for
the Province of New York.

Copies of Coll Romar's Letters to me from Albany.

[TRANSLATED FROM THE FRENCH.]

My Lord,

I consider it my duty to inform Your Excellency that I arrived here on the 23d instant, and as soon as I had landed in the city of Albany, I found an opportunity to proceed to Schenectady, in order to inspect that important frontier. This I did by successfully running over 40 miles; for I took a general observation of said place, and can assure you, my Lord, that the situation of Schenectady is admirable and good, and deserves attention on account of the importance of the frontier. It is a pity, and even a shame, to behold a frontier neglected as we now perceive this is; and had the public interest been heretofore preferred to individual and private profit, which has been scattered among a handful of people with diabolical profusion, the enemy had never committed pernicious forays on the honest inhabitants generally.

As regards Albany, I find that frontier as important as the other, and even more so, inasmuch as it covers the entire of Connecticut, New England, on one side, and New York and the Jarseys on the other, independent of promoting good correspondence, in general, by means of the navigation. Its situation is very irregular and difficult, though with a trifling expense I could put it in a state of defence against every enemy. The drawing of the necessary plans will take me, I believe, four weeks after I shall have completed the necessary arrangements. I shall begin to-morrow, please God, and shall not fail to use diligence, and to report thereon to Your Excellency. I am, with all respect,

my Lord,

Your Excellency's most humble

and most obedient servant,

Albany, 27th May, '98. W. Romar.

My Lord,

On the 27th ult. I had the honor to assure Your Excellency of my most obedient respect, in informing you that I had been to Schenectady, and had inspected both the said place and town. I have since been to observe another frontier, named the Half Moon, concerning which I have been spoken to a great deal. I find it of very little consideration; but there is a place seven leagues higher up the river, called Cheragtoge, which must be an important frontier. If it pleaes Your Excellency that I go thither, I shall await your orders, and shall make a report, verbally and in writing, on both the one and the other. Meanwhile, I have been occupied in the survey of this town—its situation and avenues—and had prepared my work so far as to be about to make a map of it, when I had the misfortune to upset a bottle of ink on my papers. This will oblige me to go again over several parts of my work, and will, consequently, delay me several days.

As I have—to add to my other misfortunes and inconveniences—been some days indisposed, I hope Your Excellency will have the goodness to excuse me, in case I may not be able to leave as soon as I had proposed. I am told Your Excellency is to come here in the beginning of next month. That being the case, I have considered it my duty to propose to you the necessity of a good and faithful interpreter—which will be difficult to find here—and I would dare say, not a faithful one, according as I see affairs managed, with extraordinary division and jealousy; And though people may flatter Your Excellency with the contrary, and that a woman may answer you as an interpreter, it will be, my Lord, only for the purpose of deceiving you, and keeping you in ignorance of important affairs; for, I find everything in a state of confusion, through the management of some of your predecessors, and of those who prefer their own, to the public, interest. Wherefore, my Lord, I take the liberty to propose to you a good and faithful interpreter, name Arnout Cornelissen Vilé, living in The Bay, on Long Island. Doctor Staats will cause him to come to New York to you, so that your Excellency may be master both of the man and his time. I would advise, also, your Excellency to send your calash ahead of you, with four of the smallest sets of harness. Horses are to be had here. The roads to Schenectade and Nestegione are good and safe. I shall visit the latter place before your arrival, provided I shall have the honor of knowing about what time your Excellency will leave, in order to prepare everything, as far as it is in my power, for your arrival. I find it very difficult to make an estimate of some new work in brick or rough stone *(pierre de carrière)* because the people here are poor and ignorant, without

any experience, so that I shall be necessitated to adopt other measures in order to explore every thing myself. This will give me trouble; it will, besides, require time. Nevertheless I shall not fail to inform myself as much as possible of every matter and of every place. Of this, Your Excellency may be assured, and that I am with profound respect,

My Lord, Your Excellency's

Most humble and most obedient servant,

Albany, 13th June, 1698. W. Romar.

Memorial of Messrs. Bleeker and Schermerhorn.

[New-York — C. D. — C.78.]

To His Excellency Richard Earl of Bellomont Capt. Generall and Governo^{r} in Chiefe of his Maj^{ties} Provence of New York &c^{a} and the Hono^{ble} Councill.

The humble Memoriall of Jan Jansz Bleeker and Ryer Schermerhoorn Rep^{e}sentatives for the City and County of Albany in the behalfe of themselves and the rest of the freeholders of the said Citty and County,

Humbly sheweth

That they are informed of a Certeine grant that was made by Coll: Fletcher late Governo^{r} of this Provence, unto Coll. P. Schuyler, Major Dijrck Wessells Doctor Godfrey Dellius, Capt. Evert Banker and William Pinhorne Esq^{r} of the Maquase Land which grant they humbly conceive to be injurious not only to his Maj^{ties} interest, but to all the subjects inhabiteing the said Citty and County, by Reason that it will Constraine and force the Indians of the Maquase Nation to desert this Provence and fly to the French, by which meanes His Maj^{tie} will loose that Considerable branch of the Revenue which ariseth to him by that trade, and in case of another warr the chiefest strength of the Provence, It being manifest that in the late Warr, if it had not been that the Indians had manfully defended this Provence the French would have made many Inroads to the Disadvantage of the Provence, soe that there can nothing be soe Destructive to the safety of this Provence, as to Discourage those Indians who have soe successfully secured and defended in the late Warr for the whole supplyes that were Raized in the rest of the Provence for the security of the Frontiers were not sufficient to p^{r}serve the out settlements in the said County, the owners being forced to Desert them, and to subject them to the Ruine of the Enemy, Then in what imminent danger must the Provence be in upon another warr, if those that fought our Battles for us become our Enemies, and that we could not with the supply of three hundred men and the charge of six thousand pounds a yeare secure the out settlements that were within three, four, or five miles of Albany, how much difficulter must it be to secure the settlements that are designed to be made in the Maquase Country by virtue of the said grant which is fifty or sixty miles from Albany, All which is most humbly laid before yo^{r} Lordshipps consideration, most humbly praying that your Lordshipp would interceed with His Maj^{tie} for the vacateing the said grant that the Indians may not be discouraged nor the rest of the Inhabitants who have been at greate charge

to make settlements for the maintaining the Indian trade be thereby forced to forsake the same to theire utter ruine

J. Jansz Bleeker
Ryer Schermerhoorn

New York the 6th of June 1698.

A true Copy
(Signed) Bellomont.

(Endorsed) Mem[l] of M[r] Bleeker and M[r] Schermerhoorn in behalf of the Freeholders of Albany &c, ag[st] Côll: Fletcher's Grant of the Mohacks Land, dated y[e] 6th of June 1698.
Rec[d] 29th Sept[r] 1698, from M[r] Weaver.
Read Sept[r] 30th 1698.

Report of the Earl of Bellomont on Mr. Livingston's Case.

[New-York Entries, B. 52.]

To the Right Honourable the Lords Commissioners of the Council of Trade.

My Lords.

His Majesty in his instructions having referred the consideration of the case of Robert Livingston of New York to myself and Council to inquire and examine into the justice of his demands for severall sums of money pretended to be advanced by him for the service of his Majesty in the said Province with interest for the same; for which the said Livingstone obtained severall orders from the Lords of the Treasury and from His Majesty and Council, and likewise to inquire into the causes and reasons why there was a delay given and suspension of obedience to the said orders by the late Governor and Councill of New Yorke, as likewise to enquire into the causes and reasons why the said Livingstone was not permitted to exercise the severall imployments in the said Province granted to him by a Commission from his Majesty.

In obedience therefore to His Majesty's commands and on the petition of the said Livingstone I made an order summoning Colonel Fletcher late Governor of this Province, or some in his behalf to appear before me at New Yorke on the 16th of May last, with the complaint exhibited in England against the said Livingstone with witnesses and evidences to justify the same; but on the said day nor since has any appeared in the behalf of the said Colonel Fletcher, his Attorneys declaring they had no orders to appeare against the said Livingstone. And on the 16th instant I ordered a hearing of the whole matter before myself and Councill, where the Councill did declare they did not beleive they could properly be judges of what they themselves had objected against the said Livingstone, nor had they any thing further to offer or urge against him more then formerly, that they knew nothing to the prejudice of his reputation, and added that he was the fittest man in the Province for the imploys he executes and particularly as Victualler of the Forces. That they wholly referred the consideration and examination of the case to myself, desiring me to represent to His Majesty as it should appear to me.

Whereupon having heard the said Livingstone and seen his proofs and vouchers, together with the orders which he obtained in England on a strict scrutiny of his demands there; it appears to me that the several sums of money, both principall and interest, for which he obtained y^e^ said orders in England, are justly due to him and ought to be discharged here according to the said orders, the execution of which was suspended in the late Government, no just reasons appearing to me for the same.

And as to the Commission from His Majesty dated the 27^th^ of January 169$\frac{5}{6}$. with salaries to be paid the said Livingstone for his discharge of the offices, and trust thereby committed to him: I do find the said Livingstone a person fitt and capable to execute the same, and that nothing hath been offered against him to render him undeserving of his Majesty's grace and favour therein: which is nevertheless humbly submitted to your Lordships wisdome by

My Lords

Your Lordships most humble

and faithfull servant

New Yorke June the 28^th^ 1698 BELLOMONT.

Earl of Bellomont to the Lords of Trade.

[New-York Entries, A. 414.]

To the Right Hon^ble^ the Lords Commissioners for Trade.

My Lords.

Receipt and Publication of his Majtys Proclamation about the Port of New York and the Jerseys.

Coll: Basse's Counter Proclamation asserting the Right of Perth Amboy

He comes after to the Earl, and on sight of the King's order submitts, as well satisfied.

a ship seized by Mr Randolph in New Jersey is tryed in the Court of Admiralty of New York

a precept issued forth from the Court for bringing before them two supposed of Every's crew, seized in the Jerseys.

Bass and his Councill refuse till the Commission for the Court published and recorded in the Jerseys

The Earl insisting, Bass submitts

on no evidence against them admitted to baile

In my last of the 25^th^ of May I gave your Lordships an account of my receipt of His Maj^tys^ orders in relation to the Port of New Yorke and the Jerseys and send your Lord^ps^ the Proclam^tn^ I published thereon; but I finde since my proclamation Coll: Bass published a Counter Proclam^tn^ in the Jersey's which I now send you; he likewise hath wrot several letters to me on that subject, much disputing my orders and ascerting the right of the Port of Perth Amboy; but he hath since been with me and seen the Kings orders, and I thought he was so well satisfied that there would be no dispute but that the Jerseys should submitt to the Court of Admiralty of New Yorke; and soon after a ship was seized there by M^r^ Randolph and tryedin the Court of Admiralty here, but sometime since two Pirates of Every's crew being seized in the Jerseys a precept issued out of the Court of Admiralty here to demand them and to bring them prisoners thither. On this Coll: Bass called his Councill and they were unanimous not to deliver, until the Commission for the Court of Admiralty was published and recorded in the Jerseys as appears by Coll: Bass his letter now sent of the 17. June last. On the receit of this I call His Maj^tys^ Councill, and by their advice sent a command to Coll: Bass (which I now likewise sent you) with which Coll: Bass being startled, he ventured without the consent of his Councill to send me the two prisoners supposed to be Every's crew. I herewith send their examinations taken before Coll: Bass. I can find no evidence here against them, so that they would be cleared on a tryall here, and I have no instructions to send them for England so

one of them a youth recommended to His Majty's mercy.

that I must admitt them to bail. One of them is not now above nineteen years old, his name is John Alston, was about 12 or 13 years old and was a boy in the ship when Every run away with her, and as he said forced him away too for a cabin boy, that he had no share with the rest, but a small part which they voluntarily gave them, that he acted no ill thing with his owne hand, and could not avoid being in the ship, being forced away; his account appeared to me probable, and inclines me to represent this circumstance to your Lord^{ps} that if you think fitt he may be represented as an object of His Maj^{tys} mercy, he is not named in the Proclamation. I hear of two more of Every's men, one in Conecticutt, and one in Rhode Island; I have wrote to these Govern^{ts} to seize them and send them to me. But I desire your Lordships speedy directions what I shall do with them, for the evidence to condemn them is in England, and I want your directions to send the prisoners thither, for otherwise as they are taken up here, only on suspicion, I am told I can not by law deny their being admitted to baile.

Two more sent for from Connecticutt and Rhode Island prays directions for proceeding against them.

Captn Balderidge's proposal about the Island of St Mary's near Madagascar.

There is a proposal made to me, by Capt^{n} Adam Balderidge for the settlement of the Island of S^{t} Mary's which I promised him to represent to your Lord^{ps}, and have given orders to the Agent of New Yorke to lay it before your Lord^{ps} if the matter be of that real advantage to the trade of Engl^{d} which he pretends, and it appears so; on your Lord^{ps} examination of it I am sure your Lord^{ps} will give it all incouragement and furtherance. M^{r} Balderidge is now here he hath lived many years in S^{t} Mary's and Madagascar and appears to be a sober man and reputed wealthy by his long trading in these parts.

Greivance of the Citty of New Yorke by an act of Assembly in Coll: Fletcher's time, for which Nicolls had 400 pounds.

The Citty of New Yorke hath likewise addressed me in relation to an Act of Assembly passed by Coll: Fletcher which distroys their rights. I have offered the consideration of it to the Councill here, who desire me to represent it to your Lord^{ps} which I have ordered the Agent to do. I have indeed made some discoveries, that the said Act was not so fairly obtained, there being a contract with M^{r} Nicolls one of the Councill for four hundred pounds for the passing of it, but this matter I have taken notice of, in my large letter to your Lord^{ps} by this conveyance, and shall only add, that if on examination, the passing of this Act appears to be manifestly to the injury of the Province, and that likewise a reward was given for it, it will have an ill aspect on Coll. Fletcher's not faithful dischargeing his trust of the Kings prerogative, which gave him power to deny the passing it, and may be worthy the consideration of a Parliament of England to frustrate what hath passed here by such clandestine practices to so great a publick prejudice.

Breach of trust therein by Fletcher.

Transactions with the French Governors of Canada and Montreall.

This day I received letters from Canada and Montreall in answer to the letters I sent to the Count Frontenac and Mons^{r} Caliere the Governors, by Coll: Schuyler, and by M^{r} Dellius sent by me thither, copys of which I now send, as likewise the Minutes of their Journey, and therein your Lord^{ps} will perceive the ill consequences of Coll: Fletcher's neglect of signifying the Peace to them, which he would not vouchsafe to do by writing to those Gov^{rs}. You will likewise find their pretentions to the Five nations of Indians which we must support, otherwise this Province will be in great danger, for want of their friendship and assistance if another war should break forth.

Coll: Fletcher's not signifying the Peace to them.

Their aim to seduce the Five nations of Indians by sending Jesuits to instruct them.

It is likewise the designe of the Jesuits to send Missonarys amongst them to instruct them in the Christian Faith, who are very desirious of instruction (but it will be our interest to teach them sounder doctrines then the Jesuits moralls)

Proposal to the Board of an incouragement by the Corporation for conversion of Infidels to Protestant divines to go among them.

which will certainly make them revolt from us, and therefore I offer it to your Lord^{ps} consideration that three hundred pounds p^{r} annum of the money paid on the Charter of Corporation for conversion of Infidels (whereof S^{r} William Ashurst is Govern^{r}) may be applyed this way which will support and encourage Protestant Divines to instruct these Indians, and thereby oblige them to the interest of the Crown of England as well as save their souls; which will without question be effected on signification of your Lord^{ps} pleasure therein to the Members of that Corporation. I must expect your Lord^{ps} directions in relation to my management in opposing any French force that may annoy the Indians of the Five nations. I shall this next week meet their Sachims at Albany, and try all proper methods of argumenst and presents to continue them faithful and prevent their being debauched by the French kindness or menaces and shall give your Lord^{ps} an account of my proceedings therein.

desires directions for his conduct in case the French annoy those Indians.

He is going to treat with the Indians.

Defects in the present Fortifications and need of some new to be proposed to the Assembly.

I sent the Ingeneer Gen^{l}, Coll: Romar with instructions to Albany to visit the frontiers, Forts, and Garrisons, and to make report to me in what condition he found them, who hath returned me his report, both which I now transmitt to you Lord^{ps}, wherein you will find that our fortifications are very weak, much out of repair, and have been most shamefully neglected, and the frontier County destroyed and deserted this war; and that several other fortifications are absolutely necessary to be made to defend against another war; but I am going thither and shall view them myself, and then be able to propose to the Assembly of this province the charge of making them, and shall give your Lord^{ps} a further account thereof.

Rhode Island pretends to a Court of Admiralty and to try a Pirate.

I am informed by M^{r} Randolph, surveyor General of the Customes, that Rhode Island pretends to a Jurisdiction of a Court of Admiralty, and that they have seized a Pirate there with his mony and designe to try him and perhaps acquitt him. I know not yet what priviledge they have by their Charter, but I am well informed what constant incouragement they give to Pirates to come in there, and bring in their spoils, and likewise what connivance is made to the breach of all the acts of Trade, and from thence it may be concluded that there will be but very faint prosecutions in a Court of Admiralty of their owne erecting, and but small regard given to the Acts of Trade, which is of so great consideration that I have likewise represented it to the Lords of the Treasury. And I hope your and their representation of the matter to His Maj^{ty} and Councill will produce some resolutions and orders to remedy so great an Evill.

Their foul practices relating to Trade represented to the Lords of the Treasury.

Coll: Fletcher's extravagant grants of lands and of several particulars enjoyed by the Governrs upon notice of his being to quitt the Government.

The Kings Attorney Gen^{l} here hath given in a memoriall to me signifying the manner of grants of land in this province from the beginning and continuance of its being under an English Govern^{t} and your Lord^{ps} may be inform'd thereby and have further satisfaction from our Agent, how Coll: Fletcher the late Gov^{r} hath had no regard to rules, but upon notice of His Maj^{tys} pleasure, that I should be Gov^{r}, he granted away every foot of Land that was to be disposed of in the Govern^{t} in such extravagant quantities, that a grant to one man contains seventy miles in length and eight miles broad; other grants likewise of fifty miles and thirty miles; and by so doing hath betrayed the trust His Maj^{ty} reposed in him, never consulted the King's Att: Gen^{l} therein, but hath made it almost impossible to settle the Country with Inhabitants, there being no land but what must be purchased from his few Grantees, (who never can settle it themselves) and put it out of the power of His Maj^{ty}, or any succeeding Gov^{r} to reward the services of subjects in peace or war, with gifts of land to engage them to settle thereon; he likewise went further; and whereas

His Majtys Fort at New Yorke being the house of the Govrs, had a large garden for pleasure, fruit and herbage, and might be called the King's domain, Coll: Fletcher hath granted away by patents great part of the said garden, the pleasantest part being next to the sea, and expressed its name in the Patent (part of our Garden) and the remaining part being a Garden planted with herbs and Fruit trees, he permitted the Fences and Trees to be wholly destroyed by Cattle, after his knowledge of my being appointed a Govr, which 14 years time will hardly repair. A small Farm, called the King's Farm, which usually supplyed the Governours with bread, corne, some few months before my arrivall, he made a lease of to the Church, and a small Island called nutten Island, for the grasing of a few coachhorses and Cows for the Governours family he would likewise have leased out to one formerly his footman but the Councill were ashamed to consent to it, so that is only left undisposed of for the pleasure or conveniency of the King's Govrs. This he hath done is a great dishonour to His Majty, as well as uneasiness to succeeding Govrs, as the greater grants is a betraying of his trust, and invincible obstacle to the settlement and strength of this Colony;—wherefore I hope your Lordps on the application of our Agent, will be pleased to receive a full information hereof and so represent it to His Majty that a way may be found that these great and mischievious grants may be damn'd and made void, since his Majty hath been so betrayed, and deceived in them by the late Govr, and that I shall, by your Lordps have His Majtys commands therein.

One grant dissented to by the Councill.

Prays their Lordships to represent this to His Majty

I have fresh informations of the Merchants of this place designes by applications at home to have Coll: Fletcher again Govr, and I find their rage against me so increased, that having had the Assistance of Mr Weaver (now appointed Agent) as King's Councill at Law in these prosecutions, they endevour to load him with many false calumnies, and give out they will blacken him at home, to take away his credit with your Lordships, as they would do mine and every mans, that serves the King faithfully in these matters, but as I will be answerable to your Lordps for Mr Weaver's honesty & integrity, so I hope he will have your Lordps favour, countenance and protection, and have full credit in his representations of affairs relating to the province, or myself, and I must assure your Lordps, that an honest Govr (especially of some quality) can not have a subsistance from the salary and perquisits of this Governt; yet his Majtys honor and the interest of the Trade of England have been so violated and injured here, that notwithstanding all the labour & trouble shall meet with, I shall go on Cheerfully to retrenche both.

Mr Weaver King's Councill at Law very assistant to the Earl in discovery of the late ill practices, therefore maligned, the Earl's good opinion of him, now appointed Agent.

My Lords — I am with respect — Your Lordps
most humble and faithful servant

New York July the 1st 1698. BELLOMONT.

POSTSCRIPT:

Yesterday I received your Lordps letters of the 21st March last, by Captn Jeffars, with the orders in relation to Pyrats; and your Lordps will perceive by my letters of the 8th and 18th and 25th of May last, send in the Richmond, and by these Packetts, how industrious I have been in obedience to His Majtys orders given me before my departure from London, which I shall continue, now I have your Lordps commands; and I must remarke what I before omitted, that one Daniel Honan private Secretary to Coll: Fletcher being sworne and examined by me, whether he knew of any moneys given to or received by Coll: Fletcher; for his granting Protections to Pirates or to Privateers, who positively swore he knew of none;

The Boards orders about Pirats received.

Honan's (a private Secretary of Fletcher's) perjury in a matter relating to Bribery by Pirates, aweakeining his evidence in any matter of Fletchers.

and since that I have plaine and positive proof upon oath, that he was present when one Wick gave a present of fifty pounds to Coll: Fletcher for granting a protection to one Rayner a Pirate (supposed one of Every's Crew) and the said fity pound was paid by a Bill drawn by the said Wick on Coll: Abraham de Peyster, and payable to Honan, for the use of Coll: Fletcher, and was paid accordingly; Wherefore, if Coll: Fletcher should make use of such a fellow to attest any matter in his favour, I hope your Lord^{ps} will give him no credit, since he so plainly forswore himself which I do attest to your Lord^{ps} of my own knowledge.

Foul practice of the Sheriff of N. York in Election of Members of the Assembly for which by advice of the Council he is suspended.

This day I summoned the Sheriff of New York before myself and Councill, on an information of his disobedience to His Maj^{tys} writt, and it manifestly appeared by the oaths of five credible men and his own confession, that notwithstanding he was commanded to returne representatives for the County of Orange, and he had made a returne pursuant, yet he had not permitted one voice of a freeholder of that County to vote; for which his apparent corruption and other neglects of his duty, as well as keeping constant Cabals at his house, to contrive disturbance to the Govern^{t} with the advice and consent of the Councill I suspended him from being Sheriff; for indeed I durst not trust so ill a Man in such a Post among so mutinous a people during my absence at Albany.

Coll: Romar Ingeneer Genl recalled, by order of the Board of Ordnance but retained by the Earle till further order on account of the defects and need of fortifications and the danger of the French attaquing the Five Indian Nations.

By the last conveyance by which I received your Lord^{ps} orders, I received a letter from the Board of ordnance bearing date the 24th of Feb^{ry} last recalling Coll: Romar Ingeneer Gen^{l} hence, but considering that all our Forts and fortifications at Albany and Frontiers are almost ruined, and in no case of defence, and there being some more wanting and no other person that understands them here; and likewise considering the threats of the French Gov^{rs} in their letters to me (now transmitted to your Lord^{ps}) to fall upon the Five nations of Indians, which we are obliged for our safety to defend, on these considerations (which could not be known to your Lord^{ps} or the Board of Ordnance when the orders were sent me) I have thought fitt for His Maj^{tys} service to retain Coll: Romar, until I receive further orders, and desire your Lord^{ps} will interpose with His Maj^{ty} for his continuance here until the fortifications are perfected.

New York July 6th 1698.

Messrs. Schuyler and Dellius to Earl Bellomont.

[New-York Entries, A. 477.]

May it please your Excellency

On the fourth of this instant arrived here four Messengers sent by the Senecks and Cayounges to acquaint us that the Messengers are come back from Canada that were sent by the Onondagers and Oneyaders the last fall to make a peace, one of which Messengers is detained behind as an hostage.

They are come to no conclusion of peace, because none of the other three nations were there, upon which they have agreed to send new Messengers from all the Five nations (the Mohacks excepted) with which nation the Governor of Canada will have nothing to doe, he saying they depend on your Excellency and take their measures according to your directions.

To confirm the truth of this relation, the Indian Messengers have laid down a Beaver and skins with seven hands of Wampom, which is now sent to your Excellency.

That wee have had several conferences with the said Messengers, to diswade them from having any private negotiation with the French, and have used all sorts of Arguments which we hope may be effectual.

May it please your Excellency, we have thought convenient therefore to stop their proceedings and have sent for some of the Sachims of each nation to be here in forty days to consult with your Excellency.

Therefore we do humbly request your Excellencys further orders and instructions in this affair.

We have nothing else to add but to assure your Excellency that our utmost endeavours shall be used for His Majᵗʸ's honour and interest, and conclude ourselves

Your Excellency's most humble and
most obedient servants

Albany April 6ᵗʰ '98. P. Schuyler

A true copy.—Bellomont. Dellius.

Comparative Population of Albany and of the Indians in 1689 *and* 1698.

[New-York Entries, A. 481.]

19 April 1698.

Number of the Inhabitants of the City and County of Albany and of the Five Nations of Indians and River Indians.

In pursuance to an order of His Excellᶜʸ Coll: Benjamin Fletcher Captⁿ Genˡ and Govʳ in Chief ettc. dated the 3ʳᵈ of May 1697 to make a perfect accᵗ of the Inhabitants of the City and County of Albany, and how many families and particular persons in the said City and County are departed from the beginning of the War, how many persons killed and carried away, and of what number the Five nations and River Indians then were, and how much they since are lessened, so that we find that the Inhabitants of the City and County of Albany in the year 1689 did consist: Men 662, Women 340, Children 1014.
and now, do. 382. do. 262 do. 805

The Five nations and River Indians vizᵗ

	Men.		Men.
The Mohacques	270	and now but	110
The Oneydes	180	and now but	70
The Onnondages	500	and now but	250
The Cayouges	300	and now but	200
The Sennicks	1300	and now but	600
The River Indians	250	and now but	90
In the beginning of the War	2800	Indians and now but	1320

The Christians departed from the City and County of Albany since the beginning of the War:

	Men.	Women.	Children.
Departed	142	68	209
Taken prisoners	16	..	..
Killed by the Enemy	84	..	..
Dyed	38	..	..
	280	68	209

Governor Fletcher's neglect to write to the Governor of Canada about the Peace.

[New-York Entries, A. 484.]

Memorandum of Mr Schuyler and Mr Wessells about Coll: Fletcher's not writing to the Govr of Canada about the conclusion of the peace dated April 21. 1698.

Mr Abraham Schuyler Mr Vroman and Mr Jean Rosie (the latter a Frenchman) were sent from Albany the 29th Decr, 1697 by order of Coll: Fletcher and Councill, to advertise the Govr of Montreall, Mr De Caliere, of the peace; the above Messengers carried with them the articles of peace, but no letter from Coll: Fletcher, which was resented by the said French Govr as a neglect or slight from Coll: Fletcher and not a sufficient signification of the Peace.

Coll: Peter Schuyler Mr Derick Wessells the Mayor of Albany and Mr Dellius, Dutch Minister of Albany, writt to Monsr Caliere a signification of the Peace, which letter Monsr Caliere returned an answer to, which contained in substance, that the French Indians were out a hunting in expectation of a Peace, a further confirmation whereof he desired as soon as may be, and that all French prisoners might be set at liberty.

This told me by Coll: Peter Schuyler and Mr Derick Wessells at New Yorke the 21st of April 1698.

Bellomont.

Earl of Bellomont to Count de Frontenac.

[TRANSLATED FROM THE FRENCH.]

[New-York C. D.—C 56.]

New-York, 22d April, 1698.

Sir,

The King having done me the honor to appoint me Governor of several of His Majesty's Provinces in America, and among the rest, of that of New-York, I have considered it fitting, whilst paying my respects to you, to inform you also of the peace concluded between the King, conjointly with his allies, and His Most Christian Majesty, the Articles of which I send you,

both in Latin and French. Peace was published in London, in the month of October last, shortly before my departure from England: but as my voyage has been very long and wearisome, having been driven by contrary winds to the Island of Barbadoes, I have not been able to get here until the 2d instant. I transmit this letter by Colonel Schuyler, member of His Majesty's Council in this Province, and Mr. Dellius, both gentlemen of character and merit, in order to evince to you the esteem I entertain for a person of your rank. These gentlemen will convey to you all the French prisoners at present in the hands of the English of this Province. As regards those who are in captivity among the Indians, I shall send orders that they be liberated forthwith, with a good escort, if that be necessary, in order to guarantee them against all insults, and to conduct them in safety to Montreal. I doubt not, Sir, but you will, on your part, also issue orders for the release of all the King's subjects, both Christians and Indians, who have been made prisoners by you during the war, so that friendly correspondence and an unrestricted trade, the ordinary fruits of peace, be renewed on the one side and the other, agreeably to the hearty union and good understanding which it has created between the Kings, our Masters. I beg you to be persuaded that I am, with much esteem and respect,

Sir,

Your most humble and most obedient

servant

Earl of Bellomont.

A Monsieur

Monsieur Le Comte de Frontenac

Governeur General de Canada.

a true Copy.

signed, Bellomont.

Earl of Bellomont to M. de Callières.

[TRANSLATED FROM THE FRENCH.]

New-York, 22d April, 1698.

Sir

I have been greatly surprised to find that Colonel Fletcher, late Governor of this Province, has failed to inform you in writing of the general peace that has been concluded, and which has been published at London the 19th October last. This assuredly is a very censurable neglect on his part, which will, no doubt, be resented at Court. I have issued orders for the immediate release of all the French prisoners, as well those in the hands of the English, as those taken by the Indian subjects of the King. I have also sent orders for the liberation of the prisoners taken in the other Provinces of my Government during the last war. I have charged Colonel Schuyler and Mr. Dellius with a letter addressed to Count de Frontenac, communicating the peace, and demanding of him the release of the prisoners and the reëstablishment of trade. I hope you will coöperate therein as far as your Government is

concerned, and that you will forward these gentlemen and their suite to Quebec. I shall not fail to prove to you, on all occasions, that I am, and shall be, truly

Sir,

Your most humble servant,

Earl of BELLOMONT.

A Monsieur
Monsieur de Callière,
Governeur de Montreal.

A true Copy
signed, BELLOMONT.

Earl of Bellomont's Instructions to Messrs. Schuyler and Dellius.

[New-York, C. D. — C. 57.]

N. Yorke Aprill 22d 1698.

Instructions to Coll. Peter Schyler one of the members of his Majts Councill and Mr Dellius Minister of Albany to be observed by them in their Negotiation with the Count Frontinac Governour Generall of Cannada.

Having with advice of His Majties Councill appointed you, to go to Canada to communicate the Articles of Peace concluded by his Majesty and ye French King unto Count Frontinacque the Governour there, which I now deliver you in French and Latin to the end that he may have timely notice of the same to prevent the Consequences that would otherwise attend the delay thereof.

You Coll Schylor are therefore ordered with all speed to hasten to Albany, and take with you from hence such French prisoners as are willing to return to Canada and on your arrivall at Albany, you and Mr Dellies are to take under your care all such prisoners as are there or that Govr can procure from the Indians and provide them with necessary Cloathing and other things needfull to enable them to returne home and what number you than so take under your charge transmitt me a list of their names. You shall also on your arrivall at Albany provide your selfs with such things as shall be convenient for your Journey to Canada and make all possible hast to proceed on your sd Journy for the prevention of any mischief that may ensue by reason of the Governour of Cannados not haveing timely notice of the peace.

On your arrivall at Mont Troyall you shall deliver unto Majr Callior my letter and desire him to assist you in your quick dispatch to Quebeck, give him my service and assure him of my willingness to keep a fair Correspondance with him.

On your arrivall at Quebeck deliver my Letter to Count Frontinacqu, and tell him, that I have made it my first care since my Entrance upon the Government, to signify my respect to the frindship Contracted by our great Mars in the Articles of peace Now transmitted to him by you and have therefore with all speed sent to him such prisoners of warr as are come to my knowledge in this Governt with the best accomodation the place could afford, and have given directions that the same shall be done in the other that I shall always be ready to maintain ye friendship of our great Masters with a friendly Correspondance.

You shall also take care to demand that all y^e^ subjects and Indians of my Mestor the King of England that have been taken prisoners during the war and now under his Command in Canada or among the Indians that they may have Liberty to returne unto their respective places to which they belong without any lett or Molestation, and be civilly and well treat'd according to the rules and laws of Nations.

You shall also desire him that the subjects of both our mâr^s^ may have the free Intercourse of trade and Commerce according as formerly accustomed.

You shall also by your best discretion inform yourself if any of His Maj^ties^ subjects are detained or kept prisoners contrary to the s^d^ Articles of Peace, and if any such to examin the cause of such detention and acquaint me therewith.

You are likewise to desire him to give directions that his Indians doe not doe any act of hostility against any of our Indians but that they shall observe the Articles of the said *Warr*, [Peace?] having given direction that our Indians shal strictly observe the same.

You are to demean yourself with great respect and regard unto Count Frontinacque by all means to avoid giveing him any distaste.

You are also by all oppertunitys to acquaint me of the progress in your Journy and also of what shall be transacted by you in your negotiation with Count Frontinacque, that I may transmitt some unto his Majesty.

BELLOMONT

A true Copy
(signed) BELLOMONT.

Propositions of four of the Five Nations of Indians.

[New-York Entries, A. 478.]

May it please your Excellency

There is arrived here the Sachims of the four nations and have made theire Propositions as your Excellency by the inclosed will perceive with our answers made thereunto.

We sent unto your Excell^cy^ five Beaver Skinns which was given by the Sachims for a present; all is peace and quiet here for the present and remaine

Your Excell^cys^ most humble and most
obedient servant
DIRCK WESSELLS.

Albany 16^th^ May 1698.

Propositions made by the Chief Sachims of the four nations of Indians (viz^t^) Onnondages, Oneydes, Cayougues and Sennecks, in the Court Hall of Albany the 16^th^ day of May 1698.

PRESENT—Dirick Wessells Mayor, Jn^o^ Vannakill,
Hen: v. Ranslaer, Wessel ten Brooke,
Jn^o^ Lansing, Lieut^t^ Jn^o^ Riggs.
John Bleeker Interpreter.

Onondages:—Sudagunachte, speaker, Annagogar, Sonwagaras, Schohasgowance
Caiougues:—Ocaquariogithe, Sodgogoniago, Sadagapudisco, Sotsehowa
Sennecks:—Anerigio, Aothdarisex, Siohaische, Onnageragithis
Oneydas:—Canochaqwne, Adasichtoe, Sonathowane, Diekanassuge.

Brethren

We are now come here, by a Messenger you sent for us, we likewise hear you sent a Messenger to stop us from comeing, but we missed at the Mohaques Castles, and now we are come here to see you.

We are come here to excuse ourselves of a scandall that has been layd upon the four Nations, as they had from some of our Messengers sent from our Castles unto Coll: Schuyler, who informed that we had an underhand dealing with the Gov^{r} of Canada, and that we should make a separate peace with him and that the Gov^{r} of Canada would continue the War with this Govern^{t} and the Mohaques, and this messague was brought into our Country by one Vadasishtee an Oneyde with a belt of Wampum.

The Speaker makes answer, in the behalf of the four Nations, that it is not true, and that they never were intended to make any separate peace with the Gov^{r} of Canada, but are fully resolved to keep the Covenant Chaine Inviolable, because we are still one body, one head, and one blood, we know well enough that the Gov^{r} of Canada has used all his indevours to separate us one from another, which shall never be in his power; you will be better informed of the truth of this when your Messengers returne from Canada.

Brethren—We desire you will not entertaine any ill opinion of us, to think that we should make any separate peace with the Gov^{r} of Canada; do give 5 Beavers to remove all suspicious thoughts from your hearts.

Answer to the four nations of Indians made by the Magistrates of Albany the 16th day of May 1698.

Brethren

We are sorry that the Messengers we sent to you to stop your Journey from comeing to Albany, did not meet with you before you came here. Wee are glad to see you.

We are well satisfied with your discourse of your purging yourself of the scandall charged upon you that you never had thought, nor never intended to make any separate peace with the Gov^{r} of Canada contrary to the covenant chaine.

We now require you that you neither directly nor indirectly send or Receive any Messenger from Canada, untill such time as you come to Albany and consult with the Gov^{r} General, what shall be beneficial for your General good.

We doubt not but the Gov^{r} General will give you timely notice to meet him here. Do give to each Nation an Indian cask of Rum, with a Roll of Tobacco amongst them, 40 pounds Pork Twelve loaves bread and four scheple pease.

R^{t} Livingston.

A true copy. Bellomont.

Count de Frontenac to the Earl of Bellomont.

[TRANSLATED FROM THE FRENCH.]

[New-York, C. D.—C. 58.]

Quebec, 8th June 1698.

Sir

Colonel Schuyler and Mr. Dellius presented to me, three days ago, the letter you did me the honor to write me, from which I perceive your disposition to entertain a good correspondence with us in consequence of the peace which has been concluded between the King, my Master, and the King of England.

Although I have not yet received its confirmation by France, I have always observed so much humanity towards your prisoners, that I shall, without difficulty, surrender into the hands of those gentlemen, during their brief sojourn here, those English and Dutch men whom I shall be able to collect together in the several parts of my government, and who will be disposed to depart, as I have always done in the hottest period of the war, notwithstanding the bad treatment Captain de Villieu and several others have experienced at Boston, contrary to the law of nations, and even ratified capitulations. I am persuaded, Sir, that you will not approve this proceeding, and that you will no longer tolerate the detention there, in chains, of Capt. Baptist, a privateer, who is treated with great rigor.

I have recently learned that a party of our prisoners, which had been at Boston, has been sent back to Port Royal, and I am much obliged to you for those whom Messrs. Schuyler and Dellius have brought me from you, though they be few in number. But I cannot understand how you could have instructed those gentlemen to require the release of the Iroquois whom we have with us, in promising to have restored to me all the Frenchmen whom they hold; for, they having come last fall to negotiate peace with me, and having left a hostage with me for the observance of their promise, it remains for them to perform it, and to bring me back my people, if they wish to conclude the peace; and it would be needless that you should give yourself the trouble to interfere in the matter, inasmuch as these are children disobedient towards their father, who have for a long period been uninterruptedly subject to the King's dominion, even before the English took New York from the Dutch.

The missions we have had for more than forty years amongst them; the garrisons we maintained in their villages; their children whom they have given, and whom I have brought up near, me, and many other evidences afford most certain proofs that they have ever been subject to the King's protection. I have such precise orders hereupon, that I cannot transgress them nntil I have received new instructions, and until the Kings, our masters, shall either by themselves, or by Commissioners whom they will send to the places, come to an agreement respecting the difficulties which they may meet there. These, however, Sir, shall not alter the good understanding I profess to entertain with you. I have detained the Indians who are here with us, in order that they should not make any new attacks on the English settlements. As soon as I had the first intelligence of the peace, by Mr. Abraham, I gave the same notice to the Abenakis and other Indians towards Acadia; but as they are at a great distance from me, and as I am told they were extremely irritated because divers of their Chiefs, who are prisoners at Boston, have not been sent back to them with the French to Port Royal, I fear, if you do not cause them to be released at the earliest moment, that their despair will drive

them to undertake some act of hostility, which might cause us regret, both the one and the other.

This prevents me, also, in their regard, obliging them to restore, absolutely, the English prisoners they have among them, having been repeatedly deceived by similar proposals of peace, and having, at divers times, surrendered persons without having been able to obtain any in return.

It was impossible to receive your letter by persons more agreeable to me than Messrs. Schuyler and Dellius, who have appeared to me gentlemen of merit. The desire they have to join you, before your departure from New-York, forbids my detaining them any longer here.

The King of England could not send into those Provinces a person capable of affording me more joy, by the reputation I understand you possess, and which will engage me to exercise all my care, in order to maintain a good correspondence with you, being disposed to assure you, as often as it shall be in my power, that I am, with great esteem and respect,

Sir,

Your most humble and obedient

Servant,

FRONTENAC.

For His Excel Richard, Earl of Bellomont,
Governor General of the Provinces of
New-England and New-York,
at York.

A true Copy.
Signed, BELLOMONT.

Governor de Callières to the Earl of Bellomont.

[TRANSLATED FROM THE FRENCH.]

Montreal, 17th June, 1698.

Sir,

Messrs. Schuyler and Dellius have presented me the letter you did me the honor to address me, with, annexed thereunto, the Articles of Peace, concluded on the 20th September last.

They surrendered to me, at the same time, nineteen French prisoners, with one Indian subject of the King, and I immediately caused these two gentlemen to be conveyed, with their suite, to Count de Frontenac, who has written to me by them on their return, to have all the English prisoners mustered, as well those who were among the French as among the Indians of my Government, in order to their being surrendered to them and joined to those whom he had had liberated at Quebec and Three Rivers, and to provide them with all the vehicles and provisions necessary for their voyage. This, as you can be assured by Mr. Schuyler and Mr. Dellius, who have appeared to me very zealous in the execution of your orders, I have had most carefully done, in order to contribute, on my part, to the reëstablishment of a good

correspondence between this Colony and those under your command, and to make known to you that I shall feel great pleasure, on all occasions under my control, to prove to you that I am, indeed,

Sir,

Your most humble and most
obedient Servant,
Chev. De Calliere.

To His Excellency, Richard, Earl of Bellomont,
Governor General of New-England and of the
Province of New-York,
at New-York.

A true Copy.
(Signed,) Bellomont.

Fraudulent Purchase of Land from Mohawk Indians.

[New-York, C. D. — C. 77.]

Interpreted by Arneut Cornelisse who was sworn.

Depositions of Henry & Joseph two of the Maquase nation who are of full age and have been Converts to the Christian Faith for about Eight years past, taken before His Excellency Richard Earl of Bellomont and James Graham Esq^{r} His Maj^{tys} Atturney generall for the province of New York, who being duely sworne on the holy Evangelists of God have answered to the following Queries as is hereunder Expressed. New York y^{e} 31th May 1698.

Query. Whether they be owners of the Maquase Land where their Castles are seated.

Answer. Yes, they are part owners or propietors of the above land.

Q. How many are owners of the said Land besides themselves.

Ans. Six more besides them, two have the Principall Propriety in those Lands and that the rest of the Maquase are Concern'd under them.

Q. Whether they have sold the Land to M^{r} William Pinhorn Cöll: Peter Schuyler. Dom. Godevridus Dellius: Maj^{r} Dirik Wessells and Evart Banker.

Ans. Wee never sold nor gave away y^{e} said Land to any person whatever.

Q. How many families belong to the Maquase Nation

Asn. There are thirty nine houses belonging to the Maquase Nation some of which houses contain one family, some two, some four.

Q. Since they say they did not sell their Land what did they mean when they put their marks and seales to a bill of sale dated the 8th day of July 1697.

Ans. That they never intended to allienate the Property of the Soile and that these pretended Purchasers Côll Peter Schuyler, Doc^{r} Godfry Dellius their Minister. Maj^{r} Dirk Wessells and Cap^{t} Evart Bancker used artifice to circumvent them and their Companions into a bargain of Sale with them, by Pretending as it was a time of War so it would be their best and securest way to defend them against the Enemy; that they should appoint or name them (meaning the Purchasers) for their Guardians or Trustees; and that they did not treat and agree with them altogether but seperately or severally and at different times. Says further that they Questioned the matter before sign'd it, and alleadged that it would be proper that all the persons concern'd should be present to consult together, but they were answer'd there was no harm in signing the Paper it was for their own security, they would keep their land for them, that it should not be in the power of any person to make an Infringement upon their Property and as long as any of the Maquase nation lived, the land should be theirs and their Posteritys for ever. Since we have been so deceiv'd, as to sign a Paper contrary to our Intention, wee therefore humbly Pray that false paper which wee and our Brethren the Proprietors of the said Land, have sett our marks and Seals to, which wee are Inform'd gives away our Right to our native Land, Contrary to our Intent, may be vacated and destroyed that the memory of so great a Corruption may be rooted out from among us Christians lest our unconverted brethren may be discouraged by so ill a practise and Example from entring into the Christian faith; and wee further pray for the preventing the like ill Practise for the future, that since wee are subjects of the great King of England and have long ago Surrendered our selves and Lands to the protection of our said great King that your Lordship would be pleas'd to lett us have a patent for our said Land to hold of our said Great King: with a Limitation that none of the English may enter upon our said Lands whilst any of us or our Posterity are in being; Except that our great King shall see cause to Erect a Castle or Fort there for the Security of the Subjects on the fronteers.

The said Henry and Joseph doe further Complain to his Excell^{cy} that about three years agoe when they were out a fighting against the French Six Idle drunken People of their nation took upon them to sell a vast Tract of Land belonging to his Excell^{cys} Complainants called Ikohere, *(Skohere)* of so large an Extent that a Young man has enough to doe to runn over it in a day's time, and that for the value of thirty Beavor-skins in Rum and other goods; which Land Arent Schuyler bought for Côll Nicolas Bayard of New-York: whereupon they made their complaint to y^{e} Magistrates of Albany who gave them no Releife but on the contrary the said Côll Bayard obtaind a patent of Côll Fletcher y^{e} last Governour for the said unlawfull purchase of their Land which caused the said Complainants upon Côll Fletchers arrivall at Albany to apply unto him for Justice and Complained in the presence of Côll. Peter Schuyler and Maj^{r} Dirik Wessells and the Interpretess: that there was a Patent granted to Côll Bayard of their Land which they never sold; nor had those who pretended to sell, any right to doe the same. did therefore pray the said Côll. Fletcher to destroy the said Patent and make it voide who promised in the presence of the aforesaid Persons to do the same but hitherto it is not done to the great disquiet and dissatisfaction of the Complainants; w^{ch} causes them to renew their prayers to your Lordship for Justice in that matter.

The said two Christian Indians do pray his Excellency that he would use his endeavors to propogate the Christian Religion amongst them, w^{ch} hath been much neglected and faintly perform'd of late years, therefore do pray that a minister may be appointed to Reside with them at their Castles for the cherishing and Comforting of those few Converts that are already

in the Christian faith and for the converting the rest of their Brethren who have good Inclinations to Embrace the said faith if they had Ministers to instruct them therein

The Mark of HENRY
The Maquaese Mohack

The Mark of JOSEPH
The Maquaese or Mohack

Sworn before me
The 31 May 1698
(signed) BELLOMONT
(signed) ARNOUT CORNELISSEN

The above Arnout Cornelissen was sworn Interpreter before me the 31 May 1698
(signed) BELLOMONT

The above named three persons in his Excell^cy's presence were sworn before me the day abovesaid (Signed) JA: GRAHAM.

Report of Messrs. Schuyler and Dellius' Negotiations in Canada.

[TRANSLATED FROM THE FRENCH.]

[New-York C. D—C. 59.]

Report of our negotiations in Canada, by order of His Excellency the Earl of Bellomont, Captain General and Governor in Chief of the Province of New-York.

8th of May. Pursuant to your Excellency's orders, we left Albany.

15th. At Pointe de Chevelure,[1] in the lake, we met a canoe, with French Indians, loaded with beavers, on their way to trade at Albany.

16th. We discovered, on the borders of said lake, two French Indians arrayed as warriors. The face of one was painted; we inquired of them whither they were going. They answered, they were sent by Monsieur Callière, the Governor of Montreal, to get the abovementioned canoe to return; but we discovered, by means of an Indian woman, a prisoner whom we were conveying back, that they were on their way to Albany to take some prisoners in order to obtain news. This obliged us to take them along with us, in order to prevent the inconveniences that might happen from their going towards Albany.

[1] Crown Point. — ED.

19th. We arrived at Montreal with twenty prisoners, whom we placed in the hands of the Governor, whom we complimented in your Excellency's name, and to whom we presented your letter, at which he felt highly honored, and evinced much gratitude.

20th. Several French Indians, both men and women, came to see us. We received them very civilly, and made them some small presents. They told us that there were in prison six of our Iroquois—which is the general name the French give our Indians of the Five Nations. We were to see them, and found them wounded. This occurred in an engagement with the Algonkins, a tribe of Canada Indians, in which twenty-four of ours were killed, and six wounded; viz: the prisoners aforesaid. The other side had ten killed and two wounded. We requested Monsieur Callière to liberate them, and let them out of prison. He answered that he could not do so without an order from Count de Frontenac, to whom he wrote on the subject. We spoke to him about those two Indians arrayed as warriors, but he was unwilling to admit that they had been sent out to make prisoners.

In the course of the interview, we fell on the subject of the Five Nations. He informed us that Count de Frontenac expected their deputies, every moment, to sue for peace from him, and that they were to bring back all the French prisoners who remain in their country. To this we answered, that it was useless and improper for our Indians to make peace with the Canadians, as, being the King of England's subjects, they were naturally included in the treaty. He told us that our Indians had been actually at war with them before war broke out between the two Crowns. To this we replied, that if our memory did not deceive us, we had been told that Marquis de Denonville, then Governor of Quebec, had requested Colonel Dongan, at the time Governor of New-York, to get our Indians to pillage the Canadians who were carrying beavers to Albany; and although Monsieur Dongan did not give them those orders, nevertheless, the Indians had some indication thereof, which obliged them to make war on Canada, in consequence of the resentment they entertained against the Canadians for having most fraudulently surprized a number of their people at Fort Catarokk8i.

He insisted strongly on the Records, saying that the Five Nations had subjected themselves to them, and called Count de Frontenac their Father.

We replied to him, with submission, that Paper admits anything—that the word Father was a compliment; that the Jesuits had taught it to them. As regards titles, that the English had better than they, and that we could not see why Count de Frontenac should desire our Indians to visit him for the purpose of concluding a peace, rather than the Earl of Bellomont those of Canada, to negotiate with him. This interview concluded by saying, that it would be well this difference were settled by the two Crowns, and that with this view it had formerly been referred, together with excellent Memoirs, to France, in the time that King James arrived there; and that he doubted not but it would have been arranged, had it not been for the Revolution in England. We said to him, we hoped Count de Frontenac would not raise any question thereupon; but would consent that your Excellency should regulate our Indians in all things befitting the public peace and tranquillity.

21st. We took our departure from Mont Real, and arrived on the 25th at Quebec, where we waited on, and paid our respects to, Cound de Frontenac and presented him your Excellency's letter. He received us most politely, and evinced considerable satisfaction and lively sensibility at the honor your Excellency conferred on him.

26th. The Superior of the Jesuits and the secular clergy visited us, and in the course of conversation said, they hoped to come soon to see us at Albany and wished to send their missionaries back among our Indians. We answered hereunto, that they may spare themselves

that trouble—that our Indians are under the direction of our minister at Albany (Dellius), who takes care of them, and awaits orders for their instruction from my Lord Bishop of London, to whose diocese they belong. This greatly astonished them, and obliged them to say that they were paid for that mission, receiving twenty-four thousand *livres* annually from the King of France. To which we replied, that if our King did not surpass, he at least equalled, the King of France in piety and generosity; but as regards the Fathers, they, as we had but too often experienced throughout this war, were prompted rather by the desire to seduce our Indians and to enfeeble us, by attracting them hither with a view to strengthen themselves, than by charity and a design for their salvation.

27th. According to your Excellency's instructions, we demanded of Count de Frontenac his Majesty's subjects, both Christians and Indians, who were detained in his government, and the establishment of a reciprocal trade, as the first fruits of the peace, &c. To which he answered, that as regards the Christians, he would issue orders to that effect; but as for the Indians, he could not resolve to liberate them until the deputies of the Five Nations had come to make their peace, pursuant to the promise they had given him by other deputies; for the performance of which they had left a hostage with him; as regards the trade, it would not be his fault if it were not established as it had been before the war.

We replied, to the refusal of surrendering our Indians, that those pretended deputies who had been in Canada were only four or five private individuals, without orders, as had been represented to us by the deputies of the Five Nations who had come, at the time, to Albany to us, to whom the superintendence of the Indians had been committed; who by a belt of Wampum, protested against all this pretended deputation, and publicly stated that it was a ruse of Odatsighta, of whom Father Milet, the Jesuit, is the adopted brother. This Odatsighta is a Canada Indian, who formerly had been one of ours; but Father Milet, having been four or five years a prisoner among them, was adopted into his family as his brother, and debauched him.

The Governor rejoined: the Five Nations had always been under the French government; that it had missionaries and garrisons among them for forty years and upwards; they had affixed the arms of the King of France; the Indians had called him their Father; the English were not long in possession of the country; no mention was made of them [the Five Nations] in the articles of peace; that the Indians had, at one time, given him twelve children to be instructed.

To which we observed, that the English had always peaceably enjoyed the right over the Five Nations; that the missionaries had been tolerated by the English merely through indulgence; and as for garrisons, we believed they were nothing more than the servants of the missionaries, to protect the latter from the insults of the Indians. In regard to the attaching of arms, that could have been done a hundred times without any right, though the English had had them repeatedly removed. In respect to possession, if it had not been long in the hands of the English, it had previously been in those of the Dutch who ceded [it] to the English, with all their rights and privileges, and it cannot be disputed but the Dutch had the Five Nations under their dependence. As for the want of any mention being made of them in the articles of peace, we maintain that it was unnecessary, as they were subjects of the King of England; otherwise all the subjects of each Prince would have to be mentioned, which would go ad infinitum. As respects the name of Father, attributed to Count de Frontenac, it is a compliment they have learned from the Jesuits. As for the gift of the twelve children, they made the like to the English, and previously to the Dutch.

Whereunto, Count de Frontenac added, that the Earl of Bellomont and he would never agree on the matter, but that he considered it proper that this question should be arranged between the Crowns; with a view to which he would advise the King his master by the first opportunity.

We then insisted on the release of the hostage and of the six wounded prisoners, already mentioned, in order that they may render your Excellency an account of the engagement between them and the Algonkins.

To which he said, he could do nothing in the matter; that he had precise orders to the contrary from the King his master; and that if they did not come to him to make peace, he knew the way to their country, and would go and force them to do so.

We said, we knew nothing of his King's orders, but the restoration of those Indians would greatly contribute to the public tranquility, and that if he did not feel disposed to satisfy your Excellency's equitable demands, you could not answer for the inconveniences which might result. But that, on the contrary, your Excellency would promise to oblige the Indians to observe exactly the articles of the peace between the two Crowns.

After this interview, Count de Frontenac told us he was informed by a letter from Boston, that the King of England and the Parliament had declared the Prince of Wales presumptive heir to the Crown, and had granted a pension to King James. We had considerable difficulty in convincing him of the contrary. At length, he admitted that he was convinced.

28th. Some Indians, to whom Count de Frontenac had sent to demand some English prisoners they had amongst them, having refused to give these up on the ground that the Bostonians still detained some of their people, obliged Count de Frontenac to send them to us, whilst we were at the Intendant's, but we refused to speak to them, saying, we were sent to speak to the Governor, and not to Indians; that we were surprised that those Indians, being subjects of the King of France, should have so little respect for the Governor; and that if the gentlemen of Boston had done them any injury, it was not for them, but for the Governors, reciprocally, to judge of it. At that moment a Jesuit entered, who came from Acadia with ten or twelve Indians; he informed us that three weeks ago a party had set out on a war expedition against New England. Whereupon we expressed dissatisfaction, pretending to be assured that those Indians had news of the peace immediately after the attack near Boston, on the 13th of February last, and said, in case Count de Frontenac did not keep his Indians under better control, both by obliging them to surrender the prisoners and preventing them sending out parties against his Britannic Majesty's subjects, the Earl of Bellomont would readily find means to bring them to reason, and it would be for Count de Frontenac to answer for the inconveniences which might result therefrom.

29th. We made the same observations to Count de Frontenac, who excused the matter saying, he had sent orders to the contrary to Acadia last winter, but that the messenger had perhaps failed, on the way, and that it might, possibly, be English Indians who had committed that act, the English Indians along the coast not being, as yet, perfectly distinguishable from those of the French; and gravely, nay warmly complained of the Boston gentlemen, saying, they did not act in good faith towards the prisoners, both French and Indian, and ill treated them. This, we declared, we could not believe, and said, were it so, that it remained with your Excellency to remedy it.

30th. Count de Frontenac caused all the English prisoners, of both sexes, in the convents and among the town's people, to appear before us, all of whom (except two or three) unanimously refused to return with us, so that we confined ourselves to demanding the

children of fourteen years and under. These were granted us, but with much difficulty. Some still remained, who hid themselves; but he promised to send them by the first opportunity.

31st. We took leave of Count de Frontenac, who handed to us his letter for your Excellency, and another for Mr. Stoughton.

June 2d. We came to Three Rivers, a small town about midway between Quebec and Montreal. We paid our respects to the Governor of the place, who restored some prisoners to us. We left the same day.

4th. We arrived at Montreal, where the Governor placed the prisoners in our hands, and had prepared canoes and provisions necessary for our voyage.

8th. We took our leave of him. He gave us his letter for your Excellency, and we took our departure the same day. But before we set out, we had encouraged some French Indians to repair to Chambly, on a certain day, in order to accompany us and settle among us, promising to have them instructed in the Christian religion. They did not fail to keep the assignation, to the number of forty, including men and women, with five to six hundred beavers.

11th. The Commandant of Chambly observing the arrival of those Indians, sent an express to the Governor of Montreal, who immediately dispatched two Indians to stop them; but notwithstanding his diligence, we set out on the 12th, bringing them along with us, and we arrived at Albany on the 22d with twenty-five English prisoners.

We shall observe here that the number of people capable of bearing arms are, as we conjecture, between three and four thousand, exclusive of twenty-eight or thirty companies of paid soldiers, amounting to about a thousand men. The forts are but mediocre. There are five or six garrisoned forts along the river, between Quebec and Montreal, in each of which there is only one piece of cannon, for the purpose of giving an alarm on the approach of an enemy. As regards Quebec, the capital city, its fortifications are not extraordinary; the difficulty of ascending the river, and gaining their harbor, constituting their greatest security. Were it not for the Convents, the Seminary, the Bishop's house, and other religious edifices which embellish it, it would scarcely merit the name of a town. The mounted guns do not exceed forty in number. There are two bishops; the Jesuits, secular priests, recollects, and their lay brothers, exceed two hundred in number. The people, apparently, are not very wealthy, paper money circulating instead of gold and silver.

In all submission we presume to add to what precedes, the respectful advice, that if the Court of England do not take to heart the instruction and conversion of the Indians, the Five Nations will not fail to be lost through the active zeal of the Jesuits, who will, as heretofore, be very active in sending missionaries among them, and attracting them to Canada, as they have done with regard to those at present there; for it is the sole cause of their abandoning their country and retiring to Canada. All which is most humbly submitted to your Excellency by your most humble and most obedient servants,

PR. SCHUYLER,
DELLIUS.

New-York, 2d July, 1698.

A true Copy.
(signed,) BELLOMONT.

Deposition of William Teller as to the Right of the English over the Five Nations.

[New-York Entries, A. 487.]

The deposition of Mr Wm Teller of the City of New-York Merchant, aged about 78 years, being sworne upon the holy Evangelists, saith:

That this deponent arrived in this province of New Yorke in the year of our Lord Chr'st 1639.

That the said province was then called the New Netherlands, and that Wm Keift was then Governour, appointed by the States Generall, and West India Compy of Holland. That the said deponent some short time after his arrival here, was sent up by the said Govr Keift to the Fort of Orange Nassaw the place where now the City of Albany is settled.

That Bastian Croll was then Commander in Chief of said Fort of Orange, under whose command this deponent served some short time as Corporall, and then was advanced to be Watch-Master of the said Fort.

That this deponent hath continued his residence at Albany since said year 1639 till the year of our Lord Christ 1692 only with some small intermissions of time, upon severall voyages to New York, Dellaware, and one short voyage to Holland.

That this deponent has been present at most all the Generall meetings and Treaties that have been made during that time, between the Governors and Commanders in chief, or their Commissioners in the behalf of this Province, with the Iroquaes being the five upper Indian Nations, called the Maquaas, Oneydes, Onondages, Cayounges and Sennecks, and that almost every year since that year of 1639 the covenant chaine, (so called by them) of a good correspondence, unity and Fraternity, has been renewed with making of large presents to each others.

That never no breach nor any rupture of war has been during all that time (nor at any time before as this Deponent has ever heard of) between the said Iroquaes and the Govern^{t} of this Province.

That at this Deponents first comeing here he heard nothing of any settlement that was made by the French in Canada, but that about the year 1645. or 1646. he was informed by several of the Iroquaes that the French were settled in Canada, and that the said French had engaged themselves in the Quarell or warr which the said Iroquaes then had with those Indians that were seated near the French in Canada, and that to this deponents knowledge there has been almost a continuall war, with some intermissions of peace between said Iroquaes and the said French and their Indians, and that many French prisoners from time to time have been brought by said Iroquaes to said Fort Orange at Albany, and relieved by the Dutch and English paying considerable sums of money for their redemption.

That about the year 1666. the French of Canada came with a considerable party into the Country of Maquaes and sett up there in Brass plates, the Armes of France, but were drove back by a party of said Maquaes, and would undoubtedly have most of them perished and been destroyed, unless they had been relieved by the Dutch, that were then settled at Schenectady.

WILLIAM TELLER.

Sworn before me this 6. day of July 1698.

JA. GRAHAM.

a true copy.

BELLOMONT.

Colonel Bayard's Representation as to the English Right over the Five Nations.

[New-York Entries, A. 490.]

To His Excellency Richard Earl of Bellomont ettc.

May it please Your Lordship.

Since the Gov^r of Canada by his letter to your Lord^p pretents a prior Right to the Iroquaes, by us called the Five Canton Indian Nations of Maquaes, Oneydes, Onondages, Cayounges and Sennecks; I have therefore thought it my duty to give your Lord^p some information what Right I know the Dutch formerly had to this province before its first surrender to the Crown of England in the year 1664; which information I received upon several occasions, whilst I was one of the Clerks in the Secretary's office of the said Dutch Govern^t. In the year 1609. the West India Comp^y of Holland had their first ship arrived in this River called Hudson's River, and had some encouragement for trade with the Natives.

In the year 1611. another ship arrived in said Hudson's River and traded with the Indian Natives, which trade as it increased, severall ships were yearly sent from Holland to settle a Trade, which so continued till about the year 1621.—

In the year 1621. the West India Company obtained a grant or Patent from the States Generall for the settling and Planting a Colony here, and was called the New Netherlands, made one of the first settlements near the mouth of Hudsons River upon an Island called Nutten Island, and another upon the upper part of said River on Beeren Island; and in some short time after extended their possessions and limits by settling of garrisons and building of fortifications, Westwards on both sides of Delaware River and Eastward as far as to Connecticutt River, then called the Fresh River, where they had a strong hold named the House the Hope; and the said West India Company had afterwards their said grant or Patent confirmed unto them, by the said States Generall, the originalls whereof I suppose are still remaining with the Heer Cornellius Van Ruyven now residing at Amsterdam, the late Secretary in the time of that Govern^t.

And ever since that first settlement the Iroquaes or five Canton Indian Nations, have always kept a good peace and correspondence with the Govern^t of this Province; first with the Dutch and afterwards with the English, and tho' several wars have been between the Christians and Indians, yet never no breach or Rupture has been with any of those Five Nations—But on the contrary the said Iroquaes have for the space sf sixty years past & upwards almost every year sent down their chief Sachims and Captains, being accompanied with great numbers of their Retinues at the said Fort of Orange and Albany, always renewing the ancient peace and covenant chaine (so called by them) made with the Christians at their first settlement of this province, makeing at all those Treaties presents to each other.

I myself have been present in many of those Treaties, for the space of near forty years past; where the said Indians or Five Canton Indian Nations, have often declared their submission to the Govern^t of this province and desired to be protected by the same, against the French of Canada, comparing the said Govern^t to a great large tree under whose branches they desire to shelter, with several other the like expressions, as by the minutes of those treaties more at large doth and may appear—Which is most humbly submitted by Your Lordship's

6. July 1698. most humble and most obedient servant

N. Bayard.

A true Copy.

Bellomont.

Earl of Bellomont to the Lords of the Treasury.

[New-York Entries, A. 441.]

To the Right Hon^ble the Lords Commissioners of His Majesty's Treasury.

My Lords.

In my letters of May the 25^th by the Richmond a duplicate of which I now send you, I gave your Lord^ps an account of what great prejudice his Maj^tys revenue of this Province had received by the negligence or corruptions of the officers of the customes, and the visible decrease thereof; and having now plainer proofs of M^r Brooks his miscarriages added to my own observation of his backwardness and negligence in discharge of his office, I thought fit for His Maj^tys service to suspend him from his offices in the Customes, as likewise from the Councill for these reasons. The ship Elizabeth of Berwick was seized in this Port for importing £15,000 worth of Scotch goods produced false certificates, was libelled against in the Admiralty here, and yet by M^r Brooks his own proposall in Councill, the ship was discharged, on the oath of the Master and Supercago to the truth of the Certificates and never brought to any tryall, which Certificates M^r Randolph assured me to his knowledge were false, and made out to be so to the Commissioners of the Customes in England, so the discharge was wholly illegall. This same ship since committed a breach of the Acts of Trade at Virginia, and was there seized by M^r Randolph, and deserted by her men; and since my arrivall at this Govern^t M^r Randolph was arrested on the account of the said seizure as I informed the Commissioners of the Customes in my letters of the 27^th of May last (a copy of which I then sent your Lord^ps and now send a duplicate of the same). I had a just suspicion from M^r Brooks his corrupt carriage in the first seizure of the said ship Elizabeth which he discharged, that he was at the bottom this arrest of Mr. Randolph; whereupon I sent for one Capt^n Symons, who brought the action against M^r Randolph, and was an Intimate of M^r Brooks, and asked him whether Mr. Brooks put him upon it, he would not confess so far, but owned that indeed since the arrest, M^r Brooks told him he was very glad of it, which abetting and encouragement of a vexatious suit was most improper for a King's Collector of the Customes to give against the King's Surveyor General of the Customs, and shewed how good affection he had to His Majesty's service.

The ship Elizabeth was seized for importing Scotch goods, the Master produced false Certificates.

The ship libelled in the Admiralty Court and by Mr Brooks's proposal in Councill discharged without tryall upon Masters oath to the Certificates, which were proved before the Cõmssrs of the Customs in England to be false.

The same ship was seized in Virginia by Mr Randolph for breach of the Acts of Trade for which Mr Randolph was arrested.

Mr Brooks was an abettor and encourager of that arest.

Since my arrival here the ship Fortune was seized by M^r Brooks being an unfree bottom and imported great quantities of East India goods brought from Madagascar, which were all landed secretly except one boat load which Mr Brooks seized, but his backwardness and neglect were the occasion of his not seizing the whole lading to the value (as I am informed of twenty thousand pounds. A full account of which will prove how unfitt he is to serve the King in this great trust, which I have drawn up and attested as a matter that came immediately within my own knowledge, and which I communicated to M^r Randolph, who on perusall was of opinion that M^r Brooks must have been an accomplice, and connived at the landing of the said goods, and thereon, and his knowledge of M^r Brooks' proceedings in relation to the ship Elizabeth, and the visible decrease of the Customes here, hath given me his opinion in writing under his hand, that M^r Brooks ought to be suspended from his Offices, which I have accordingly done, and hope your Lord^ps will approve of it, and

The ship Fortune with East India goods from Madagascar (to the value of £20,000) was seized by Mr Brooks, but he was backwards (delaying a whole week) so that she landed privately all her goods but one boat load which was seized.

He sends an account of Mr Brooks' proceedings

never restore him to a trust he hath so much betrayed—These further circumstances may convince your Lord^{ps} of M^{r} Brooks' deserts viz^{t}: that he hath gained so great a love amongst the Merchants by his tender deportment in his office, that I hear he is getting attests from them of his civill carriage, Justice and integrity which will be good proofs against him to your Lord^{ps}, if he be not better advised then to produce them. I have a copy of a Certificate of the same nature which the Merch^{ts} here have given Coll: Fletcher, the late Gov^{r} who had a right understanding and friendship with M^{r} Brooks, both of which kept constant Caballs and Company, and had great intimacy with the Merchants, owners of the rich lading of the ship Fortune, and suspectid to be concerned themselves in her, but of this, I can not get positive proof as yet, only this circumstance is strong against Coll: Fletcher and M^{r} Brooks, that the ship Fortune was a Dutch bottom, and yet had a commission for a privateer from Coll: Fletcher, under colour of which she was laden publickly with goods proper to be sold to Pirates, and with twenty one men, sayled directly from New York to Madagascar, taking her clearings out of the Custom house, and arrived at Madagascar, at the same time that Capt^{n} Hore (a Pirate who likewise [had] a Commission from Coll: Fletcher) his ship was returned from the Red Sea to Madagascar; and Capt^{n} Hore's ship being old and leaky and not so proper to returne to New Yorke, this ship Fortune (sent as supposed for that very end) received great quantities of East India goods out of her, which she imported to New Yorke and unladed before I could prevail (with much importunity) on M^{r} Brooks to seize her, which he would not do but delayed for a whole week as appears by the acc^{t} transmitted to your Lord^{ps} about that matter.

Another circumstance against M^{r} Brook is that altho' he had information from me that several of Hore's men being Pirates, had come passengers in the ship Fortune (viz: fourteen) and altho' there were, ten men on board when he seized the empty ship, yet he would not secure any of them, or any of the Sailors, so that when the ship came to be tryed in the Admiralty all the sailors were hid and put out of the way except one Sailor that happened to be pressed on board his Maj^{tys} ship the Foway, and one other which hath been severely threatened for the same, so that M^{r} Brook and the Merchants here seemed to be in a conspiracy to prevent the condemnation of a ship, which they were so zealous in, not so much for the value of the ship, which is not great, but to save the reputation of their great Patron of unlawfull trade, Coll: Fletcher, who gave her a Commission and permitted her to load publickly here, but however on full proof she was condemned, and I herewith send a copy of her Condemnation.

I must likewise observe to your Lord^{ps} that M^{r} Brooks as an excuse against going to seize the said ship, told me he had never a boat, and that the Commissioners of the Customes of England would not allow the charge of keeping one; whether this be true or not I can not tell; but this I know that without his application to me for it I commanded the Man of war's pinnaces to attend him this seizure, and he might likewise have hired other boats on such occasions, and the charge would have been allowed him (were he inclined heartily to the service) and besides Coll: Fletcher made an Establishment out of the Kings Revenue here for a Boat Coxen and eight Oars, at thirty pounds p^{r} annum, for the pleasurable service of the Governour, but do not find it was demanded or

Mr Brooks much esteem'd by the Merchants. He is getting a Certificate from them of his civill carriage etc. which may be as proof against him.

He and Coll: Fletcher suspected to be concerned in the ship Fortune which was a Dutch bottome yet had a commission from Coll: Fletcher.

and laded goods proper for Pirates and went from New York to Madagascar at the time that Hore was at Madagascar from whom she had the East India goods she brought to New York.

Tho' the Earl of Bellomont informed Mr Brook, there was 14 of Hore's men in the fortune, yet when he seized the ship he lett them and the other seamen go away;

so that there were but two to be found when the ship was tryed

He sends a copy of her condemnation.

Mr Brooks pretended he had no boat to seize the ship with, and that the Commissioners of the Customs would not allow one.

The Earl of Bellomont finds one.

Coll: Fletcher made an establishment of £30 pr annum out of the Revenue for a pleasure Boat.

The Earl of Bellomont has now provided a boat for the officers of the Customs.

offered to be made use of by Mr Brooks for the King's service, but I have now made that unnecessary charge useful, and have appropriated the Boat for the sole use of the Officers of the Customes, which I do not question your Lordships will approve of.

East India goods concealed at the Sheriff of New York's house, wher Mr Brooks constantly diated.

It is likewise observable that the house of the Sheriff of New York wherein Mr Brooks constantly dieted and spent most part of the day and evening, and had great friendship with, being searched by my order, on intelligence that uncostumed goods were there, I but narrowly missed of finding them, for that the Officers found a considerable quantity of wrappers of East India goods, which were left behind, the goods parcelled out and removed or sold and in all probability by the connivance of Mr Brooks.

Coll: Fletcher acknowledged Mr Brooks' place more profitable then that of Governor, which must have been by indirect methods, for he made no seizures.

I believe it likewise proper to inform your Lordps that Coll: Fletcher having the greatest intimacy with Mr Brooks, acquainted me the first day of my arrival here that Mr Brooks his Imploy was of much more profit then the Govern^{t}, which must be by indirect methods, for it was never made so by the seizures or forfeitures made by Mr Brooks.

Mr Brooks appointed Collector of the Customes of Connecticutt with a power to substitute officers but he neglected to take out such authority.

Mr Randolph likewise informed me, that it was ordered by the Commissioners of the Customes, that Mr Brooks should likewise be Collector of the Customes for Connecticutt Colony, with power to substitute Officers to prevent the unlawful Trade dayly practiced there, but that Mr Brooks had neglected to take out such authority.

Mr Brooks's unnecessary voyages

I find that Mr Brooks was of too roving a temper to closely enough attend his Imploy for altho' he was the sole Collector of the Customes in this province, yet he took occasion to divert himself with three voyages, one for England with Mr Nicolls, as Agents for the Province, another to Pennsilvania, a compliment to Coll: Fletcher, and a third to Boston a compliment to Sr Francis Wheeler, deserting his trust and Imploy and giving opportunity to the Merchants to make their practice on the King's Customes, but his absence must be of great detriment to the Revenue were he a Man faithful in the discharge of his Imploys.

On Mr Brooks removal two Commissrs appointed in his place.

On my removal of Mr Brooks from his Offices with Mr Randolph's advice and consent I constituted Coll: Cortlandt (one of His Majty's Councill and formerly imployed on the Customes and a man of good repute) and Mr Monsey (who was Searcher of the Customes here) to be Commissioners to execute Mr Brooks' offices during his

Upon Information of some uncustomed goods the Earl of Bellomt sent Mr Monsey (one of the Commissrs who had formerly been under Mr Brooks) and another to seize them, which they did, but could not carry them away for the Merchts locked the officers up in a room where they were in danger of being stifled

suspension, and having intelligence where some uncustomed goods were, I sent Mr Monsey and Mr Evats a Searcher, to seize them, who went, found, and seized them at Mr Van Sweeten's house, but before they could convey them again to the Custome house, called together a number of the Merchants and by their advice locked up all the windows and doors, and made the said officers prisoners in a Close Garret, where they made the seizure and put them in danger of being stifled. News of this was brought to me about three hours after being nine of the clock at night with notice that the Officers were in danger of being murthered.

The Earl of Bellomont sent the Lieutt Govr with Soldiers to release them, which they did.

I was therefore forced immediately to send my Lieut^{t} Govr with three files of Soldiers, and my own servants, from the Fort, who went and forthwith broke open the doors of Van Sweethen's house (which were denyed to be opened to them) and rescued the King's Officers, and assisted in carrying the Goods seized

The Merchants exclaim against him for it.

to the Custom house. The Merchants of the Town were in such an uproar at this seizure (not being used to such things) that they exclaimed against me, as if all English Laws and Rights were violated, and had the insolence to present to me, a most reproachful scandalous Petition, which they were heard to before myself and Councill, and the Petition had too moderate a censure, most of the Councill being Merchants and actually concerned in these ways of Trading; however, could not but joine in giving me leave to check the Petitioners which was all the punishment hath as yet been put on so daring an action, as to imprison the King's Officers, and then complain of the violence of their being released.

The Earl of Bellomont sent for Mr Monsey the next day to make another seizure, but he refused to serve any longer and would give no reason.

But what relates to Mr Brooks is, that the next morning after the said seizure Mr. Monsey being sent for by me, and being told that he must goe immediately and make another seizure, he positively told me, he would act no longer in the Imploy, but desired me to appoint another, nor would he give me any reason for his refusal to serve longer, upon which I did take him at his word, being resolved that none shall be imployed that are unwilling to serve, but I was surprised to find that such a Man as Mr Monsey who had served for six years as Searcher of the Customs for fifty pounds pr annum salary, and had but five days before accepted of being one of the Commissioners of the Customes, which advanced him to above two hundred pounds pr annum, should relinquish such advantage for being put on doing his Duty closely; but he chose rather to give up his Commission then to disoblige the Merchts. But he acknowledged to me that he had been that Morning discoursing to Mr Brooks, and I suppose this was done according to his advice, for this Monsey was brought over hither as his servant, and being under him in the Custom house, is without doubt privy to his neglects and perhaps corruptions, and found his benefit by it, being as is said rich enough to maintain himself at home whither he is now bound, and as is reported to justyfy his Master Brooks against all complaints and reasons can be offered for my suspension of him. On my discharging Mr Monsey, I have appointed Mr Ducy Hungerford, a brisk young Gentleman son to Sr George Hungerford, to be joined as Commissioner with Coll: Courtlandt untill your Lordps pleasure is made known to me in this matter. I can assure your Lordps that the matter of fact I have herein acquainted you with is truth, according to the best discoveries I can make, and altho' people are so corrupted here that my vigorous proceedings to support the acts of trade is making open war with them, yet I shall go resolutely on in my duty if I may have (as I am assured I shall) support from your Lordps, and that the complaints of the Merchants (which they much threaten) may meet with discouragement. That I may not have as great vexation in answering frivolous and false clamours as they give me trouble in preventing their base and unlawful trade.

'tis probable 'twas by Mr Brooks' advice for he had been with him that morning

He is coming to England to justify Mr Brooks.

All papers that this paper have reference to, will be laid before your Lordps when your Lordps leisure will permitt by Mr Thomas Weaver, who is constituted agent for the Province, and is the bearer of these packetts, and hath full instructions in relation to the affairs of this Govern^{t} and more particularly to lay before your Lordps all matters relating to His Majtys Revenues. And I desire your Lordps favour and countenance to him in the same, and that he may be credited, he being a person for whose integrity I myself will be answerable. He will constantly attend your Lordps, and give your Lordps that satisfaction as to those my reasons for displacing Mr Brooks and Mr Monsey as may make them appear to your Lordps, unworthy to be ever again intrusted in any branch of his Majtys Revenue, and more particularly the

Customes, which I do not question but very much to advance in the Province of New York when I am assisted by a sett of diligent, understanding and faithfull Officers

I am Your Lord^{ps}

Most humble & obedient servant

N. York July the 1st 1698. BELLOMONT

Earl of Bellomont to the Lords of the Admiralty.

[New-York Entries, A. 436.]

To the Right Hon^{ble} the Lords of the Admiralty.

My Lords.

An ill character of Captn Evans

I herewith send your Lord^{ps} a copy of my packet of the 18th of May sent in the Richmond Frigat by Capt^{n} Evans, whose behaviour whilst in these parts, I am informed was not so suitable to his trust, loveing to lay at anchor and to be very busy on shore in manageing elections of representatives for the humor of Coll: Fletcher, and following trade, and submitting the King's concerns to his own conveniency. M^{r} Randolph Surveyor Gen^{l} of His Maj$^{ty's}$ customes here, informs me, that the Govern^{t} of Rhode Island have seized some Pirates with their wealth, and do claime by their Charter, to erect a Court of Admiralty of their owne, and designe to try them, and without doubt will acquitt them. The incouragement given by that Govern^{t} to Pirates, and connivance at the breach of the Acts of Trade, will make them very favourable in prosecutions in a Court of Admiralty of their own erecting, nor do I know how to prevent it, for although I suppose His Maj^{ty} did intend, I should be Vice Admiral of these seas, yet no Commission for being so hath passed your seal, only a particular Commission impowering me to Commissionate some certain persons named to me by your Lord^{ps} to be Officers of a Court of Admiralty at Boston and New Yorke. I hope your Lord^{ps} will represent this matter to His Maj^{ty} that I may have a full commission to be Vice Admiral here, as other Governours here have had, who were of much less quality than myself. M^{r} Weaver, the Agent for this Province, will attend your Lord^{ps} to receive your Lord^{ps} orders in this matter, which will be for His Maj^{tys} service to have the Commission and full authorities speedily dispatched, for there is no part of His Maj^{tys} dominions where the Generality of the people are so united and bent to oppose all Govern^{t} that shall disturbe their piracy or breach of the Acts of Trade, which hath formed a conspiracy amongst the Merchants here, and they give out they are sending home some to endevour to have me recalled and Coll: Fletcher sent againe, who gave them a full latitude.

Pirates seized in Rhode Island.

They will erect a Court of Admiralty of their own.

They incourage Pirates.

He desires a Commissn to be Vice Admirall

He has seized two Pirates, but was forced to admit them to bail for want of orders to send them home.

I have seized two supposed Pirates of Every's crew, but having no directions to send them for England, and not having evidence to convict them here, I have been forced to admit one of them to Bail, and the other is still confined, not having yet procured Bail, which I could not deny them being only upon suspicion. About a fortnight since I sent to Boston, and desired the Lieut^{t} Gov^{r} that if the Arundel was not gone, she should stay till my packetts arrived, which I suppose your Lord^{ps} will approve of,

for the safety of my letters and His Majᵗʸˢ service. The Deptford being refitted here, had likewise sailing orders for Boston, but contrary winds hath detained her now some weeks.—I am with respect My Lords. your Lordships most humble and faithful servᵗ

New Yorke July the 6ᵗʰ 1698. BELLOMONT

He sent for two Pirates seized in the Jerseys

P. S. I had omitted to acquaint your Lordᵖˢ that a precept issued out of the Court of Admiralty of New Yorke, to take two supposed Pirates out of the custody of the Govʳ of Jerseys, but he by advice of the Council (as he said) did not obey it on pretence that my commission of Vice Admirall (which as yet I have not) was not published and recorded in the Jerseys, nor the other Commissions of that Court. But I sent him a commanding letter, which he obeyed, and sent the Prisoners, as your Lordᵖˢ will perceive by the letters which shall be laid before your Lordᵖˢ by the Agent.

The Govr refused to send them.

But he did it afterwds.

Report of the Lords of Trade to the Lords Justices on certain Clauses of the Earl of Bellomont's Commission.

[New-York Entries, A. 378.]

To their Excellᶜⁱᵉˢ the Lords Justices:

May it please your Excellencies.

The Right Honᵇˡᵉ Mʳ Secrᵗʸ Vernon having signified to us that the Earl of Bellomont, Commander in Chief of His Majᵗʸˢ province of New York, having given an account that a clause in the Commission granted to Captⁿ John Nanfan, Lieut. Govʳ of the said Province (which makes him subject to His Lordships authority only during His Lordᵖ'ˢ residence in that Province) may be prejudicial to His Majᵗⁱᵉˢ service there, and having propounded that the said Lieutᵗ Govʳˢ Commission be made conformable to that which was formerly given to Coll: Nicholson, when he was appointed Lieutᵗ Govʳ of New England under Sʳ Edmund Andros, His Majᵗʸ was thereupon pleased to require us to make such alterations in the said Lieutᵗ Governˢ Commission as we think proper. We humbly represent to your Excellencies, that the Earl of Bellomont being by His Majᵗʸˢ Commissions constituted and appointed Captⁿ General and Govʳ in chief not only of the foresaid province of New York, but also of the Massachusetts Bay and of New Hampshire, with several powers and authorities to be exercised likewise in divers other adjacent Provinces and Colonies, we are humbly of opinion, that it is not for His Majᵗʸˢ service, that upon every removal of the said Earl out of the province of New York, into those other Provinces and Colonies, where His Majᵗʸ'ˢ foresaid Commissions may from time to time require his presence) the foresaid Lieutᵗ Govʳ of New York, should during such his Lordᵖˢ absence become wholly exempt from, and independent upon his Lordᵖ'ˢ authority. And for the prevention thereof we herewith humbly lay before your Excellᶜⁱᵉˢ the draught of a Commission for the said Lieutᵗ Govʳ Nanfan, conformable to that which was formerly granted to Coll: Nicholson, and which (in revoking the said Nanfan's present Commission) we humbly conceive will be very proper.

Upon the same occasion the Right Hon^ble^ M^r^ Secr^ty^ Vernon having likewise signified to us His Maj^tys^ pleasure, that we should consider of the Earl of Bellomont's desire, that he may have power to change his Lieut^t^ Gov^r^ in New York and constitute a new one as he shall find it necessary for His Maj^tys^ service. We humbly report to your Excell^cies^ that the said Earl being authorized by His Commission for the Govern^t^ of New York to suspend any of the Members of His Maj^tys^ Councill in that Province as likewise certain Commision Officers less dependant upon him, and also to appoint and remove Judges and several other Officers (all upon just cause, not otherwise) and being required both by his Commission and Instructions *not to give, grant, or dispose of any office or place within the said province and territories, which is now or shall be granted under the great seal of Engl^d^ yet with a proviso, that he may upon the vacancy of any such office or place, or upon the suspension of any such officer by him put in any person to officiate in the intervall, until the said place be disposed of by his Maj^ty^ under the Great seal of England, or that his directions be otherwise given therein.* We are humbly of opinion that tho' the place of Lieut^t^ Gov^r^ be not particularly named, yet it may reasonably be understood to be within the intention of the said Instructions, or at least that it will be for His Maj^tys^ service that the power of suspending a Lieut^t^ Gov^r^ in the said province upon any just occasion, and of substituting another to officiate till His Maj^ty's^ pleasure be declared thereupon, be more expressly conferred upon the said Earl, in the same manner as the power which he hath of suspending Councillors and other Officers there, and substituting others in their stead, under the obligation always of laying before His Maj^ty^ a full and perfect account of the grounds and reasons of his proceedings in any such case.

And the Right Hon^ble^ M^r^ Sect^y^ Vernon having further signified to us that the said Earl having desired His Maj^tys^ pardon of Piracy, for Edward Taylor and Samuel Burgess who have made the annexed confessions and affidavits, for which his Lord^p^ recommends them to His Maj^ty's^ mercy, His Maj^ty^ was pleased to require our opinion thereupon. We are most humbly of opinion that the pardon for Piracy desired for the said Taylor and Burgess, may be for His Maj^tys^ service, and tend towards the discovery, conviction and bringing in of other persons concerned in such pernicious practices; and that therefore the desire of the said Earl of Bellomont in that particular be complyed with, and he be directed to make use of the powers which he has already by his Commission in pardoning or not pardoning them according as he shall find them to deserve.

All which ettc.

Whitehall July 26^th^ 1698^th^

J. Bridgewater
Ph: Meadows
John Pollexfen
John Locke
Abr: Hill.

Additional Instruction to the Earl of Bellomont.

[New-York Entries, A., 389.]

Aug. 2, 1698.

By the Lords Justices.

His Majtys additional Instruction for the Right Honble Richd Earl of Bellomont, His Majtys Captn General and Govr in Chief of his province of New York and the territories depending thereon in America, at the Court at Whitehall the day of August 1698. in the 10th year of His Majtys reign.

Whereas by the Commission and Instructions His Majty has been pleased to give you for the Governt of his province of New-York and the territories depending thereon in America, you are impowered to suspend any of the Members of His Majtys Councill there, from sitting, voting and assisting in the said Councill as likewise to suspend several other officers from their respective offices, upon just cause, and to substitute others in their stead untill His Majtys pleasure be signified thereupon; but whereas no particular mention being made of the office or place of His Majtys Lieutt Govr of the said province in any of the Clauses of His Majtys said Commission or Instructions, by which the power of suspending any of the foresaid officers is conferred upon you, some doubt may be raised, whether the power of suspending Lieutt Govr in the said province be within the meaning and intention of the said Clauses, His Majty therefore in further explanation of his Royall will and pleasure does hereby expressly give and grant unto you full power and authority to suspend the present Lt Governr of the Province of New York and any other His Majtys Lieutt Governors of the said province for the time being if you find just occasion for so doing. And upon any such occasion to put in some other person to officiate in that place untill you shall have represented to His Majty your reasons for so doing, together with the charges and proofs that are brought against any such Lieutt Govr and his answers thereupon signified unto you; In order unto which you are to transmitt the foresaid reasons, charges proofs and answers unto His Majty, by one of His principal secretaries of State, and the Commissioners for Trade and Plantations by the first opportunity.

Colonel Fletcher to Mr. Blathwayte.

[Mus: Brit: Additional, 9747.]

Sir

Your suddaine departure from this Kingdom left mee destitute of that happiness I proposed to myselfe, of laying before you every minute circumstance of my administration in that trust His Majestie was graciously pleased to repose in mee for the Governing his Province of New Yorke which I had the honour to doe, and I hope with loyalty and integritie during a warr with the French and Indians in that parte of his Majesties Empire.

I find myself prosecuted by the Earl of Bellomont; my successor, with that implacable inveteracy, and observe the greate credit his Ldpp has with persons in the chiefe stations and trust here, that I am confounded at the designe and meaninge of it, especially looking backe

at the five and thirtie yeares that I have borne commission under the crowne of England, without the least reproach or impeachment of my reputation, and after nine yeares service in the warr of Ireland and America to become a castaway in the Reare of my dayes is noe small mortification to mee. His Majesties favor to mee is more valuable than life, and I am ready to submit to the most infamous death, if the things alleaged against mee bee trew.

S^{r} you have alwayes been pleased to afford mee your countenance and I thinke approbation in discharge of that trust from which I am now recalled. I do begg a continuance of your good opinion till I am found guilty of what is urged against mee, and that you'll please to use your endeaviors to prevent any ill impressions in the meane time that these noe lesse scandalous than false criminations may make on his Majestie and those noblemen about him. If to bee accused bee sufficient, who can be innocent.

S^{r} Robert Southwell is gone into the Country, and obliged me to send you his service, and desires you will put my Lord of Athlone in minde of his promise of mentioning mee to the King, according to the opinion his Lordshipp had of mee, and the character I bore in the warr of Ireland, under his Lopps command, and I must begg you'l present my humble duty to him. The Lord Bellomont has writ over to stopp what money is due to mee as Capt^{n}, and taken all other measures to embarrass mee, both in my fortune and good name, the last of which is dearest to mee.

S^{r} it is your honour and virtew brings this trouble upon you, from a man who is bound to bee to the last gasp of life,

Sir,

Your most humble, faithful,

and most obedient servant

London, August 5th 1698. (s^{d}) BEN FFLETCHER

Earl of Bellomont to the Board of Trade.

[New-York Entries, B., 54.]

To the Right Honourable the Lords Commissioners of the Council of Trade.

My Lords

My journey to Albany in July last was very unfortunate to me in respect of my health, for having appointed the Five Nations of Indians to meet there at a day certain, I resolved to keep touch with them as near as I could, tho' to the hazard of my life, and I imbarked at Albany in the midst of a fit of the gout, by which means, and a cold taken upon Hudson's River, I had like to have dyed when I came to Albany. However, in the weak condition I was I made a shift to manage a conference with the Indians. I must confess I was strangely surprised and discouraged at the behaviour of those people the first two or three days conference; for I found them so sullen and cold in their carriage that I thought we had quite lost their affections; but some of the Sachims coming to some of the honest Magistrates of that town, discovered to them they had been tamper'd with by M^{r} Dellius, the Dutch Minister, to whom with three others viz^{t} Colonel Peter Schuyler Major Dyrk

The Earl of Bellomont has been at Albany.

And has had a conference with the Indians

They were sullen and cold in their carriage at first.

at last they own'd they had been tampered with by Mr Dellius,

Wessells Mayor of that Town, and one Banker, Colonel Fletcher had committed the whole management of all the Indian affairs; so that Dellius, to serve the interest and designe of Colonel Fletcher in creating me all the difficulty and disturbance in that part of my administration, had possessed the Indians (as these Sachims confessed) that their power, viz^{t} that of Dellius and the other three before mentioned persons, was equall to mine, and did insinuate, as if it did more peculiarly belong to them, to take cognizance of the Indians and their affairs, and to treat with and succour them at all times, then it did to me. Besides, Dellius did inculcate that by no means they must impeach Colonel Fletcher of any neglect of them or our frontiers during the late warr.

and made to believe that he with one or two others had more power than the Earl of Bellomont.

That the Indian affairs belonged particularly to them.

That they must not accuse Col. Fletcher of neglect of them or the Frontiers

These practices of Dellius were the true reasons I afterwards discovered of the cold behaviour and doggedness of the Indians to me, but they being a people who have naturally a great quickness of understanding, informed themselves of severall of the most substantiall and honest people of that town that I was the King's Governour and that Dellius had deluded and abused them; they found out their error, and became more free in declaring their grievances and complaints to me; for an Account of all which I referr your Lordships to the printed Conferences I now send you (N° 1.) I shall observe this to your Lordships that tho' the beginning of my treaty with our Indians was very melancholy to me and all those that were present and wished well to the King's government, there having been all the marks that can be imagined of discontent and disaffection in the countenances and carriages of those people; yet to my unspeakable satisfaction I managed them with that patience and gentlenesse and made them so good a present, that I quite retrieved their affections to the King's government and by the acknowledgement of all the Magistrates and traders at Albany they were never known to part with any Governor in so good humour as they did with me. It does happen to be a little more expensive to the country this journey of mine, then usuall, it amounting to about twelve hundred pounds of this country money; but then it must be considered that all those commodities which are usefull and acceptable to the Indians happened to be dearer at the time of my goeing up to Albany 50 per cent then they were ever known to be during the whole course of the last warr. I do affirme this for a truth to your Lordships, having taken pains to inform myself exactly in the prices of all the particulars disposed of to the Indians by myself and the late Governour. Dellius the Dutch Minister was the more industrious to amuse the Indians and make them reserved to me, that they might not complain of the notorious fraud and circumvention put upon the Mohack Indians by himself cheifly, and the other three before mentioned persons, in obtaining a grant from Colonel Fletcher of their whole country. The villany of this Dellius will appear to your Lordships upon the perusall of that part of the conference which is in manuscript (N° 2.) and which relates wholly to that fraudulent bargain transacted between Dellius and six or eight of the Mohack Indians, wherein tho' he makes the Indians believe the land was only to be conveyed by them to himself and the other three persons in trust for the use of them and their posterity, and to hinder the said land being disposed of to other hands, that would probably dispossesse them thereof; yet he with the other three persons together with M^{r} Pinhorne (whom I lately removed from the Council and his Judges place) obtained an absolute grant of all the said Mohacks land from Colonel Fletcher. It is observable that the parties

When the Indians were disabused they were more free and declared their Grievances (vid. No. 1.)

By presents and gentle usage the E. of Bellomont has retrieved their affections.

His journey to Albany with the Present to ye Indians cost 1200£ New-York mony.

Dellius endeavoured to make Indians reserved, that they might not complain of the Grant of the Mohack's land.

See Dellius's villany in that affair (No. 2.)

who were the chief complainants to me and evidence against Dellius are Mohack Indians, proselyted by himself to the Christian Faith, Henry and Joseph, he has taught to pray and preach in their language by the means of a woman Interpretres. I know not how sincere converts they are, but they seemed to have no veneration for their Doctor and Apostle Dellius, whose juggle with them about that land must needs have made him appear to them an impostor. The Interpretress, a Mohack woman and his own convert was also a witnesse against him, as your Lordship will see in the manuscript I have already mentioned, nothwithstanding he has managed her and the other Indians by her, for some years past. But examining her upon oath before all the Magistrates of Albany and severall other persons, the woman was frank in declaring her knowledge of the fraud put upon the Mohack Indians by Dellius. This account had been printed with the other conferences, but that I was willing in tendernèsse of Dellius his ministerial function to conceale the fraudulent part he acted from all the world, except your Lordship, to whom I reckon myself obliged in duty to the King to communicate all things without reserve, that have regard to His Majesty's interest in these Provinces that are under my government. I have been longer upon this head of the conferences with our Indians and Dellius's sinister practices, because I take it to be of the last consequence to the service of these Provinces that your Lordships should be rightly and fully informed of the circumstances of our Indians and certainly Dellius and the other three managers are not a little accountable for the dangerous and knavish artifices they used to withdraw the respect of the Five Nations from me; which had like to have been fatall to his Majesty's interest, and might have shaken the allegiance and subjection of the said Indians to His Majesty, at a time when the French are so very industrious to debauch them from us.

The Interpretess an Indian a witnesse against Dellius.

Your Lordships will see by the perusall of the printed conferences, how much the Indians doe stomach Colonel Fletcher's neglect of them during the late war, particularly in his omitting to demolish the Fort of Cadaracqui, which the French had deserted for a long time, but have since regarrisoned. It is so seated to the disadvantage of our Indians and their hunting that it is a cruell thorne in their sides, as they themselves call it.

The Indians highly resent Col. Fletcher's neglect of them during the War. (No. 1.)

He did not demolish the Fort at Caderacqui when deserted by the French which is now regarrisoned.

A memoriall signed by Col. Pynchon and Mr. Partridge and sent me to Albany by Mr Hawley and Mr Parsons about the murder of two Englishmen by some Indians at the town of Hatfeild in New-England is sent herewith (N° 3.) together with my examination of the Skackkook Indians about the said murder, which is set downe in page 14th of the printed conferences, will inform your Lordships of the whole of that matter. I have also resented that barbarous action in my letter to the Governour of Canada, bearing date the 13th of August last (N° 4.) having probable grounds to beleive the Canada Indians committed the murder.

Two Englishmen murdered at Hatfield in New England, by Indians.

The account of it is in No. 1. p. 14.

Your Lordships will find page 10th of the printed Propositions that the Five Nations have interceeded with me for the pardon of William Simpson a soldier of Albany who murdered an Indian Sachim and wounded two others, and who was tryed for the same soon after my arrivall in this Country by a commission of Oyer and Terminer and lyes under a sentence of death. My answer to that part of their proposition will be found page the 14th of the said print. I have at their request reprieved that man till your Lordships be pleased to signifye his Majesty's pleasure whether he shall be pardoned or no. The fellow is said to be a great villain in his nature, and

The Five Nations have interceeded with me for the pardon of a soldier of Albany who is condemned for the murder of an Indian Sachim.

He has reprieved him till the King's pleasure be known.

But were it left to him, the man should die.

the fact was so very desperate & bloody that I confesse were it left to me he should suffer death according to the sentence passed upon him. The other murderer mentioned also page the 10th of the printed propositions was tryed by Commission of Oyer and Terminer while I was at Albany, but being a man who had a great number of relations in that town, the Grand Jury brought in, Ignoramus, upon the indictment, so that he was acquitted.

Col. Fletchers grant to Ranslaer prejudicial to Albany for it lyes so that he intercepts the Beaver trade which used to be brought to Albany by the Indians. Vide the last Paragraph of this lre.

Three things are observable in the address to me from the Magistrates of Albany page the 16th of the printed propositions; the first, which I have marked with a line, implyes a wrong susteined by the inhabitants of Albany by means of a grant made by Colonel Fletcher to one Ranslaer of a great tract of land upon Hudson's River, above Albany, whose scituation give the said Ranslaer the advantage of intercepting the Beave[r] trade with the Indians from the town of Albany and as they come down the river in their canoas sometimes by fair means and often by a sort of force makes them take rum and other comodities for their peltry. This complaint some of the inhabitants made me by word of mouth, tho' tis expressed by hint only in the said addresse, one reason whereof I take to be, that the said Ranslaer is himself one of the subscribers of the said Addresse and the rest of the Magistrates touched that part but gently for that reason, and because his eldest brother and himself have the greatest tracts of land about that town and related by marriage to all the best Dutch families. His eldest brother's land, as I was told there, reaches twenty-four miles square, and Albany stands in the centre of it. The next thing observable in the said Addresse is their giveing me thanks for restoreing the management of the Indians and their affairs, to all the Magistrates of that town, which I thought was the fair and honest way for the advantage both of the Indians & Inhabitants of Albany; for I could by no means approve of the private management Colonel Fletcher had confined the Indians affairs and trade to, viz^{t}, under the direction of M^{r} Dellius the Minister, Colonel Peter Schuyler, Major Wessells and M^{r} Banker, wherein those four persons found their Account; but that town and the whole Province suffered prejudice in the trade with the Indians.

He has committed the management of Indian affairs to all the Magistrates of Albany, and taken it out of the private hands Col. Fletcher had put it into.

The grant of the Mohack's land was no' the sole price of the flattering Address Col. Fletcher obteined from Albany

I discovered while I was at Albany that Colonel Fletcher's grant of all the Mohack's country was not the sole price of the flattering Addresse he obtained from the inhabitants of Albany, extolling his great conduct and vigilance in defending the frontiers against the French, a copy whereof I formerly sent your Lordships and then told you that Addresse was solicited and carried on by Dellius and the other grantees; but Colonel Fletcher also thought himself so highly obliged by that false and flattering addresse which he beleived would skreen and palliate one of the corruptest parts of all his administration, viz^{t} his totall neglect of the Frontiers, which the Indians do pretty well manifest in the printed propositions I now send, but which can evidently be made to appear. My scheam of managment of the Indians and their trade will be found in my instructions to Colonel Peter Schuyler and all the Magistrates of Albany, page the 18th of the printed Propositions, which Instructions I was forced to draw up with my own hand, tho' in that weak condition of health, having no Secretary nor any body belonging to me there could write good English.

which he believed would skreen him for having totally neglected the Frontiers.

The scheme for the managment of the Indians &c. is in No 1. p. 18.

As to the third thing observable in the said Addresse from Albany, which is building of a Fort in that town, I shall not now trouble your Lordships with the mention of that, intending to write my thoughts thereof (as also of the Fort desired to be built at Schenectady, which

your Lordships will find expressed in the addresse from the inhabitants of that place and imediately follows the other Addresse from Albany page 17.) by Colonel Romar the Ingineer who to my great amazement is ordered home by the Board of Ordnance and will goe from Boston in the Deptford man of Warr about three weeks hence. I shall also by the Deptford man of Warr inform your Lordships of severall matters which the present ill circumstances of my health will not allow me to put into a method fit for your Lordships view. Upon my returne from Albany I mett with a croud of businesse before I was well recovered of the fitt I had there, and that gave me a relapse into the gout, which I labour under at this time, and am forced to dictate to the Clerk that writes this letter.

The Ingineer is ordered home notwithstanding the Forts &c to be built.

Of all which and several other things he will give an account by the Deptford, who is to sail shortly.

I conclude this letter with that which comes at the end of the printed conferences page the 20th, which is an Allarm sent hither by the Five Nations of Indians, of a Designe of the Governor of Canada to make a sudden inroad upon them, unless they would imediately goe and begg a peace of him. Upon this allarm, I used all the precaution I could to keep our Indians in heart and to succour them in case of an attack by sending up my Lieutenant Governour to Albany with all the souldiers I could spare from hence, a copy of my instructions to him goes herewith (N° 5.) I also at the same time dispatched the Mayor of Albany Major Wessells to a generall meeting of the Five Nations at the Onnondages Castles, my instructions to the said Major Wessells are also here inclosed (N° 6.) This allarm occasioned my writing a second letter to the Governor of Canada, a copy whereof I also send your Lordships (N° 4,) together with my instructions to Capt. John Schuyler who went express with my said letters to the said French Governor (N° 7.)

An allarm from the Five Nations of a designe of the Governor of Canada to make an inroad upon them &c

The Earl of Bellomont's proceedings thereupon.

I am, with respect
My Lords
Your Lordships most humble
& obedient servant
BELLOMONT.

New Yorke Septembr 14. 1698

P. S. Just now the Mayor of Albany Major Wessells is returned from his negociation with our Five Nations of Indians, and has delivered me the memorial which I now send your Lordships (N° 8) which contains all that can be now said to your Lordships touching that matter. I forgot particularly to mention in the body of this letter the discourse that passed between Mr Dellius the Minister of Albany and myself the day I left that place, which I have added to the manuscript (N° 2) and which may serve for an evidence to your Lordships of that man's strange prevarication and doublenesse. I do assure your Lordships I have advanced nothing against him in that narrative but what I can with a good conscience sweare to the truth of. I can prove by witnesses of undoubted creditt severall immoralities of life in that man, his disaffection to the person of the King and other things which I will not now trouble your Lordships with. You may perhaps wonder that I trusted him with my first letters to the Governour of Canada and Mount Reall, to notifie the peace to them, and that I give a character in those letters (copies whereof I formerly sent your Lordships) so different from that which I now give of him. But I had not then seen him, and Col. Schuyler the other messenger of those letters was then here and advised me by all means to let him take Mr Dellius along with him from Albany because he could speak the French tongue well, which I therefore consented to.

With an answer to his message to the Five Nations thereupon.

Mr. Dellius's immoral life and disaffection to the King.

The Inhabitants of Albany have now bought Ranslaer's grant of lands upon Hudson's River, so that trouble is over.

I have also had advice from Albany that the Magistrates and Inhabitants of that town have bought Ranslaers grant of lands on Hudson's River which was so vexatious to them; so that there is an end of that greivance.

September the 16th 1698.

These Papers are referred to in the Earl of Bellomont's foregoing letter.

N° 1. Printed Conference between the Earl of Bellomont & the Five Nations of Indians at Albany 20th July 1698. (Bund. D. N° 14.)

N° 2. Deposition of two Christian Mohacks about Col. Fletcher's Grant of Fifty miles of their land the 31st May 1698. Duplicate. See ante, p. 345.

Conference with the Mohack Indians at Albany upon the same subject July the 25th 1698.

The Earl of Bellomont's discourse with Mr Dellius on the same subject. Aug. the 2d 1698. (Bundle D. N° 15.)

N° 3. Memorial of Mr Pynchon and Mr Partridge about a murder of two Christians at Hatfeild in New England. (Bundle D. N° 16.)

Earl of Bellomont to Count de Frontenac.

[TRANSLATED FROM THE FRENCH.]

[New-York Entries, B., 67.]

Sir:

I have just arrived from the frontiers, where, among other things, I have had a conference with our Five Nations of Indians, whom you call Iroquois, who have most urgently entreated me to continue them under the protection of the King, my master, having at the same time protested inviolable fidelity and subjection to his Majesty, and complained of the outrages perpetrated on them by your French and Indians of Canada, in violation of the treaty of peace, in which they consider themselves included in virtue of the fealty they owe the King as his subjects. They have likewise represented to me that your folks have killed and carried off ninety-four of their people since the publication of the peace, which greatly surprises me, the rather as the Iroquois, or Five Nations of Indians, have been always regarded as subjects of the crown of England, as can be demonstrated to the entire world by solid and authentic proofs, but which, as appears by your letter of the 8th June last, would be perfectly useless for me to prove, inasmuch as you tell me positively, in that letter, that you have such precise orders on the subject of the Five Nations of Indians, that you cannot exceed them until you have received others; and Messrs. Schuyler and Dellius, who have placed your letter in my hands, have assured me, at the same time, that you expressed yourself, regarding our Indians, plainly, and in like terms to those contained in your letter. You are well aware that the proceedings and hostilities of your people towards our Indians, before the last war, were the principal cause of the King's declaring war against France, as is set forth in the declaration. I am, therefore, astonished why you wish to undertake to continue the war with our Indians, since it is a manifest infraction of the treaty. The King, my master, has, God be thanked, too much penetration in matters of business, and too great a soul to renounce his right. And for me, I have his interests too much at heart to suffer your people to commit the smallest insult on our

Indians, especially to treat them as enemies. I have, therefore, given them orders to be on their guard, and in case they be attacked, to give no quarter either to Frenchmen or Indians, having promised them assistance each time they require it. Moreover, to place them in a condition to defend themselves and to repel those who will attack them, I have furnished them with a quantity of arms and munitions of war. You see, sir, I make no difficulty in informing you of all my proceedings with our Indians. Therein I am certain of being sustained by the King, my master, agreeably to right reason and the law of nations, which permits opposing force to force. To show you how little our Five Nations of Indians regard your Jesuits and other missionaries, they have entreated me repeatedly to expel these gentlemen from among them, representing to me, at the same time, that they were overwhelmed and tormented by them against their will, and that they would wish to have some of our Protestant ministers among them, instead of your missionaries, in order to instruct them in the Christian religion, which I promised them. And you will do well to forbid your missionaries interfering any more with them, unless they desire to undergo the punishment provided by the laws of England, which, assuredly, I will cause to be executed every time they fall into our hands, the Indians having promised me to bring them as prisoners before me. If you do not cause acts of hostility on your side to cease, you will be held responsible for the consequences which may follow; and I shall leave the world to judge who will be most in the wrong, you or I; you for having recommenced the war; I, for defending our Indians against your hostilities, and bringing your people to reason, having been driven to it by your infraction of the treaty.

Our Indians were very willing to place in my hands all the prisoners they have taken from you during the war, exceeding, in number, as they told me, one hundred, on condition that I should assure them of the liberation of their people whom you retain. I was unwilling, however, to take that upon myself until I had previously known your resolution again in that regard. I have sent back, notwithstanding, with my passport to conduct them to Canada, four French prisoners, whom our Indians brought with them to Orange, as the town of Albany was first called in the time of the Dutch. If you consent to an exchange of prisoners on both sides, you will do well to give me notice thereof, in order that I may have collected together those of yours in the hands of our Indians.

I learn from New-England that your Indians have killed two of our English in the vicinity of a village called Hatfield, and taken off their scalps, and that it occurred about the 15th of last month, whilst those poor people were busy making their harvest, being wholly unarmed, thinking themselves secure by reason of the peace. Such barbarities cannot be heard of without exciting a thrill of horror. It is added that your Indians are encouraged hereunto by the reward you pay them, viz: fifty crowns for each scalp.

I hope you will not take it amiss that I say, such seems to me in entire opposition to Christianity, or that I have expressed myself with somewhat of warmth and resentment on this subject. Too much zeal cannot be evinced, on some points, in the service of one's master, especially when the interest of the crown and the repose of its subjects are in question.

I am, as far as I may be, Sir, yours, &c.,

Earl of Bellomont.

New-York, 13th August, 1698.

Earl of Bellomont to Count de Frontenac.

[TRANSLATED FROM THE FRENCH.]

[New-York Entries, B. 71.]

Sir

Two of our Indians, of the Nation called Onondages, came yesterday to advise me, that you had sent two renegades of their Nation to them to tell them and the other tribes, except the Mohawks, that in case they did not come to Canada within forty days to solicit peace from you, they may expect your marching into their country at the head of an army to constrain them thereunto by force. I, on my side, do this very day send my Lieutenant governor, with the King's troops, to join the Indians and to oppose any hostilities you will attempt; and if needs be, I will arm every man in the Provinces under my government, to repel you and to make reprisals for the damage which you will commit on our Indians. This, in a few words, is the part I will take, and the resolution I have adopted, whereof I have thought it proper, by these presents, to give you notice.

I am, Sir,
Yours, &c.,
Earl of Bellomont.

New-York, 22nd August 1698.

Instructions to Captain John Nanfan.

[New-York, C. D.—D. 18.]

By His Excellency the Governour &c^{a}.

Instructions to Cap^{t}. John Nanfan Lieu^{t}. Governo^{r}. of His Majesties Province of New-York.

Whereas Information was brought me Yesterday by Decannisora, one of the Sachems of the Onondages Indians and another Indian of that nation, That the Count de Frontenac Governo^{r}. of Canada had sent a Message by two revolted Indians of that same Nation to threaten the four Nations of Indians, called the Onondages, Cayowges, Oneydes, and the Senekes, That in case they did not within the space of 45 dayes, come and submit to him the said Govern^{r}. and conclude a peace with him he would invade their Country and treat them in such a hostile manner as should compel them to it.

You are therefore for His Majesties service to Repaire to Albany with your Company of Foot and there remain until you are inform'd by the Indians or any other credible Authors. That the French or their Indians are on their march towards our Five Nations or have actually invaded them, in either of which cases you are to take with you all the forces in His Majesties pay at Albany, and Schenectady Togeather with your owne Company, and as many of the Traine Bands and Militia of that Towne and Country as also of y^{e} County of Ulster, as possibly can be got togeather, and march them to that part of the Country where you shall be advised by

y^e^ Indians or where you shall judge it will be most proper to joyne the five Nations of Indians; and after so joyneing them, you are to march directly against the enemy, and fight them, if you can do it on reasonable and equall terms.

You are to give me speedy notice of all the Intelligence you receive from time to time that I may take such measures as shall be most suteable for His Majesties Service, and that of this Province.

You are to caress and cherish the five Nations of Indians by all y^e^ wayes you can contrive, and not suffer the Souldiers upon any account whatsoever to be rude and abusive to them, or the Inhabitants of this Province, and all Officers and Magistrates within this Province are hereby required and commanded to assist and obey you in all things relating to the Expedition you now go upon; It greatly Importing the honour and Interest of His Majestie and the welfare of this Province that the five Nations of Indians be protected and defended from the French and their Indians.

Given under my hand and seal at arms at Fort William Henry this 22^d^ day of August 1698

BELLOMONT.

A true Copy

(signed) BELLOMONT.

Instructions for Derick Wessells, Esq., Mayor of Albany.

[New-York, C. D.—D. 19.]

Instructions for Major Dyrck Wessells to be observed by him in his Negotiation with the five Cantons of Indians, viz^t^ the Moquas, Onnondagoes, Oneydes, Cayagoes and Senekaes Convened at the Onnondagoes Castle to consult concerning a message received from the Governour of Canada, relating to a seperate Treaty with four of the said Cantons or Nations, contrary to the conclusion and articles of peace.

Imprimis You are with all speed to return to Albany and take with you Decannisore and the other Indians and upon your arrivall at Albany you are to take with you Jan Baptist Van Epe, the Interp^r^ter, and such persons as you shall think fitt for to bear you Company, and to go thence with all possible Hast along with the said Indians unto the Convention of the five Nations, which is to be held at the Onondagoes Castle.

Upon your arrivall at the said Castle you are to acquaint the Brethren of the said Nations convened there, That I take very kindly their Message by Decannisore, and observe their resolutions to adhere strictly to the Covenant Chaine by being so just to their promise they made me at their late negotiation with me at Albany. That pursuant to their request I had sent you express to be p^r^sent at their Consultation where you are to represent to them with the best arguments you can frame, the dangerous consequence that would attend their haveing any seperate Treaty with the French. And that according to their promise they are not for the future to receive any message from the French, but what they shall communicate to me, as they have now done;

You are to make them sensible, that as they are and have allwayes been, the subjects of the King of England they are therefore under the care & protection of the Great King of England my Master even to the degree of his own English subjects.

And as in Vindication of the Brethren & in Revenge of the Injuries that they had suffered by the French, My Great Master had begun the late great Warr with the French King, which with the success of his arms, had brought the French to an honorable Peace, so that they may Conclude that my Great Master, with the utmost of his power, will defend the Brethren against any attacques that the French shall make upon them in Violation of the Peace.

You are also to acquaint them, that I have sent an Express to Canada, and will peremptorily demand of the Governour all their Prisoners which I hope he will surrender according to the Articles of Peace. But if he should refuse I will then complaine to my Great Master of the violence done thereby to the Articles of Peace who will thereupon resent the same to the French King and constraine him to give just satisfaction therein. It being the King of England and the French King that have concluded the Peace, the subjects of both nations must be thereby concluded, So the Brethren are as safe as we are by that stipulation of the Peace. And if the French should invade their Country with any force, if the Brethren be stronger, then they are to repell them with their Power; But if the French force be greater then the Brethren's, then if the Brethren will return to me at Albany I will give them succour, and indeavour to invade the French with a considerable power to revenge the wrongs done the Brethren.

You are by all fair means to keep them firme and steady to the Covenant Chaine, and take effectuall care they do not in y^e^ least violate it by adhereing to the French who are a Nation full of intrigue and insinuation. And therefore they are to avoid all Communication with them. But, if the Brethren have any thing to require of the French, they are to let me know of it, and I will take care to perswade the French to yeild to any thing that shall be judged reasonable. Given und^r^ my hand and seal at Arms at Fort William Henry the 22^th^ day of August 1698.

BELLOMONT.

A true Copy

(signed) BELLOMONT.

Instructions to Captain John Schuyler.

[New-York, C. D.—D. 20.]

By His Excell^y^ the Govern^r^ &^ca^

Instructions for Cap^t^ Johannes Schuyler at Albany.

You are to use your utmost Dilligence in Carrying, and delivering my letter to y^e^ Govern^r^ of Canada, which Letter I send you by Jean Rosie. And when you are arrived at Quebeck or elsewhere where y^e^ Governour is, You are to press for his answer to my Letter, and use the greatest Dispatch you can in comeing back againe to me

You are to inquire into the Designes of y^e^ said Governour, whether he be makeing any Preparations to invade our Five Nations of Indians, and feel y^e^ Pultz of y^e^ Indians that have

formerly belonged to the five Nations, Whether upon Incouragm^{t} from me they would not returne to their Antient Dwellings among the said five Nations, and put themselves under the obedience of his Majestie the King of England.

You are to observe very nicely as much as the shortness of the time will allow, in what Posture the French are; what their strength may be, in number of native French & Indians and informe your self as perticularly as you can how many Indian families the French have debauch'd from us.

And in case you find on your arrivall in Canada, that the French are prepareing to invade our five Nations of Indians or are in motion towards them, you are imediately to send me an account thereof by some diligent Messenger.

And if M^{r} David Schuijler be not yet gone towards Canada, you are to call on him for my letter to y^{e} Govern^{r} of Canada and deliver it to the said Governour at the same tyme you do this, which I have now sent by Jean Rosie.

When you receive my letter by Jean Rosie, you are to provide yourself with a Birch Canoe, and to take to your and his assistance such persons as you shall think needfull for y^{e} speedy conveyance to, and returne from Canada. Given under my hand and seal at Armes, at Fort William Henry, this 22th day of August 1698.

BELLOMONT.

A true Copy

(signed) BELLOMONT.

Mayor Wessells' Negotiation with the Five Nations.

[New-York, C. D., D. 21.]

An account of the Negotiation wth the Sachems of the Five Nations, the Moquaes, Oneydes, Onondages, Cayouges and Senekes pursuant to the instructions of his Excellency the Earl of Bellomont Captaine Generall and Governour in Cheif of the Province of New York &^{c} To mee Derrick Wessels Dated the 22^{d} August 1698.

The 27th August I went from Albany and lay that night att Sconecteday

The 28th ditto I went forward and lay that night at the second Moquaes Castle, from whence the Sachems went up wth mee to the third Moquaes Castle where they held a consultation, and deputed two of themselves to goe along with mee to be present at the Generall Meeting att Onondaga.

The 29th ditto wee departed from the last Moquaes Castle and lay that night in the Woods.

The 30th ditto Wee went forward and lay That Night alsoe in the Woods.

The 31th ditto att Night wee arrived at Oneyde, where the Oneyde Sachems held a Consultation & deputed two of themselves to goe forward wth mee to Onondaga.

The 1st September I went from Oneyde and came that night to Onondaga, but the Moquaes and Oneyde deputed Sachems stayed att Oneyde, and came not unto mee until the 3^{d} of September, it being rainy weather, when I came to Onondaga I found the Senekes & Cajougas there.

The 4th ditto all the Sachems of the Five Nations were in Councill together at the Onondaga's Castle, They came all to my quarters and desired to know what I had to say to them from Corlaer (the Governour) I then declared to them what yr Excellency commanded mee in your Instructions.

That if they should give Audience to the Message sent them from Canada it would be great damage and disreputation to their Five Nations, since they were strictly charged by Corlaer to have no Correspondence with nor to receive any message from the French of Canada And that if the French should invade them in their Castles, If they were stronger they should repell them, but if the French were stronger they should retire to Albany where they should be protected by Corlaer.

Att this they seemed displeased, and said if wee must warr again what benefitt have wee gott by the peace made by the Great King.

I answered I did not beleive it would come to a warr, but the law of Nature did require us to repell those that should come to injure us, and that I thought one great reason of this fear was because they had refused to deliver up the French Prisoners as Corlaer had ordered them (which Corlaer the Governour took amisse).

They answered that there had gone twice Messengers from Albany to Canada, but none of their prisoners were come home, and they did not yett know what was become of them, therefore they thought it needfull to goe themselves to Canada, to see what the matter was.

I answered that Joannis Schuyler was now sent by Corlaer expresse to Canada to demand their prisoners, and I did not doubt but they would hear of them, I said farther that if the Governr of Canada did not send their Prisoners, he would be looked upon as a breaker of the Articles of Peace by the Great King.

To which they answered this is no satisfaction, and they told mee withall this was but discourse, but however they would goe together and consult what answer to give to Corlaer.—they consulted from the fourth in the Morning to the fifth in the Evening when they made mee this answer following.

Brother Corlaer

Wee have now been consulting with our Five Nations about the Message sent to us by the Governr of Canada, to send four of our Nations to come to him and bring his prisoners, and to fetch ours, & to make peace wth him: Wee have wth one accord resolved to observe your Orders that none of us nor any prisoners shal goe from hence to Canada by the way of Kalarouque,[1] but that in Eighteen days time wee will come to Albany, and bring wth us all the prisoners that are inclyn'd to goe, and then wth our whole house our seaven fires wee will goe altogether to Canada & speak there face to face, for wee keep firm that peace made by the Great King. That we may pertake alsoe of that rest & quiet in our Countrey.

And Brother Corlaer wee will not accept any Message more from Canada, nor suffer any Jesuits to come among us to live, for wee say again wee will hold fast the Peace made by the Great King and keep firme that Covenant chain lately renewed at Albany, and therefore Wee will send back the Messenger for Canada without any thing.

But Brother Corlaer if in the mean time the Enemy should come and fall upon us, you must bear that shame if any hurt should befall us, because you hinder us from going to Canada now.

To which they threw down three Beaver Skins.

[1] Katarouque.—Ed.

They afterward asked mee, what I thought, whether this would please Corlaer or not, since they had promised all what he desired. I told them I beleived not, because I could not perswade them wholly to desist from going to Canada, but that I would accquaint Corlaer with what they had resolved, that he might order accordingly, But I told them They must not expect any one should go to Canada before Joannis Schuyler returned, After this I staid untill the 7th of Septembr and saw them make the Answer to one of the Messengers from Canada that they would returne by him no Prisoners, but would goe with them in eight days to Albany, (Althoug I found that one of the Messengers from Canada was returned five days before I came & had taken wth him one French woman) I found alsoe among the Indians some Prisoners brought thither lately by a Company of 24 Indians of the five Nations, that had been out almost a year, and in the lake they mett wth a Canow, wherein were 4 French, 3 Indians & a Squaw, one of the French would not resigne himself, him they shott downe, the other three they brought Prisoners into their Countrey; I found one at Onondaga, one at Oneyde, The other was in the Senekes Countrey, These prisoners they will alsoe bring wth them to Albany. I made inquiry of some of these prisoners whither they were going. They told mee with letters from the Governr of Canada, to call all the French home yt were among the far Nations, I enquired for their letters. The Indians told me they had threw them overboard.

So I sett out for Albany the 7th and arrived there on the 11th September, all which is humbly offerd

By

My Lord,

Your Excellency's

Most humble

and most obedient servant

DIRCK WESSELLS

Albany 12 Sept. 1698

A true Copy

(Signed) BELLOMONT

Mr. Graham to Mr. Blaithwayt.

[New-York Entries, B. 91.]

To the Honourable William Blathwayt Esqr

May it please your Honour.

I presume with all dutifullness to renew my humble acknowledgements for your many favours and hope your honour will excuse the boldness I now take in acquainting you with the present circumstances of our Province whose languishing state craves the continuance of your honours countenance and favour.

Those seeds of strife and dissention that my Lord Bellomont found sown amongst us upon his arrival, to render his government uneasy are grown since to such maturity that they almost threaten its dissolution; and all those principles of loyalty and good affection to the Crown which were adherent to the inhabitants of this Province, are now extinguished; and the humour now running amongst the most eminent of our

Principles of Loyalty formerly in the inhabitants extinguished.

Their desyre yt ye revenue were abolished; & their pretences for it.

people and which hath over spread our whole Province, is, that nothing can be more advantagious for the Province then that the revenue were abolished; assigning for their pretences the hardships this Province lyes under when all the adjacent Provinces are free. This doctrine is very taking with the people in regard of the great advantages that have attended some of them since the bolting of flower hath been taken from the Citty of New Yorke, and the market thereof placed at every Planter's doore through out the Province; they therefore inferr that if the revenue were extinguished there would be no need of a Port at New York; and so every creek & bay in the Province would be a port and by that means manage their unlawfull trade without controule and thereby reduce the government unto an annarchy.

The advantages accrewing from ye Bolting Act, is one argument.

If no revenue, no Port at N. York; then illegall trade might be carried on at every creek.

The Earl's strictness in suppressing unlawful Trade &c has occasioned ye forming articles of complt agst his administration.

My Lord with great prudence and resolution [he] discourageth all such pernicious principles, yet is not able to prevent the Clammor of the people who looke upon themselves injured by my Lord's strictness in the suppressing the unlawfull trade and the discountenance he gives to the trade of Piracy which of late years hath been much encouraged. And the pride that attend some who have enriched themselves with such practices hath generated such stubbornness and rage that they have take upon them to misconstrue my Lord's actions, and by their false glosses upon them endeavour to forme their maliceous constructions into Articles of complaint against my Lords Administration and value themselves mightily upon the interest they pretend to have at Court.

Your Honour will have at your Office a particular account of the measures my Lord hath been constrained to use for the peace of the government, and doubt not but will be found so just and reasonable as to have his Majesty's approbation.

Coll. Cortlandt manages ye revenue to advantage.

Colonel Cortlandt hath now the management of the revenue, by whose care and diligence it will be considerably improved, the negligence that lately attended it made it of little value tho' our trade was sensibly encreased.

Mr Graham was with the Earle at Albany.

The Indians at first very sour & concerned for loss of 94 of their nation by French Indians.

The Earle gains upon their affections.

They promise not to treat with the French but at Albany.

The French alledge them not included in ye Peace nor or King's subjects

The contrary asserted.

I had the honour to wait upon my Lord to Albany, who tho' much afflicted with the gout yet was resolved to undergoe all that misery and keep touch with the Indians whom he found at first very soure and much concerned for the losse of ninety four of their Nation by the French Indians, after that the peace had been notified unto them. My Lord by his prudent management soon reclaimed them and gained much upon their affections; and all be it they were weary of the warr and much frighted by the threats they dayly received from the French yet they have promised that they will not treat with the French but at Albany. The French Governour does much insist that they are not included in the peace, nor will he admitt them to be the subjects of England. His Majesty hath the same title to them that he hath to New Yorke, and they have always been esteemed his Majesty's subjects, and as such have manfully fought our battles for us; but if the French menaces should gain them to acknowledge the French soveraignity, this and all the adjacent colonies & plantations will be in great danger to be ruined. Therefore it is of great import that the French should be required to desist from their pretences otherwise there will need a standing force to repell the French if they should make any such attempt as to reduce them to their allegiance.

If the French desist not from their pretences there will need a standing force to repell them.

Capt. Schuyler sent to hinder the French invading the Onondage country.

My Lord hath sent Capt John Schuyler express to prohibit the French motion into the Onondage country, which they have threatened to invade, and the report

Count Frontinacque said to be come to Mount Royal wt a considerable force.

goes that Count Frontinacque is advanced so far as Mount Royall with a considerable force for that purpose. I am in hopes my Lords express will meet

Hopes yt the Earles express will meet and prevent his further motion.

him and prevent his further motion. My Lord hath sent to the right honourable the Lords Commissioners of Trade and Plantations a full account of those negociations which will more fully inform your Honour of every thing.

I was in expectation that upon my Lords returne from Albany to have found that those gentlemen (who have suffered themselves to be misguided from their duty to his Majesty) would have repented and made some return unto their former professions of loyalty, but am disappointed and informed that in lieu of returning unto their duty, they have to the contrary

A confederacy to misrepresent ye Earle's actions.

herded together against the government and composed some false representations of my Lords actions and have sent them home to amuse and with designe to prejudice my Lord's interest, but in deed my Lord hath given such demonstration of his integrity and hearty affection to his Majesty's interest since his being here that I cannot conceive it will be in their power by such artifices to staine my Lord's reputation.

A necessity of superseding many in Commissn. and placing others in their room.

My Lord hath also found such defection and coldness to his Majesty's interest in many of those he found in commission that I am apprehensive he will be necessitated to supersede them and place others in their room that will be more hearty and affectionate to His Majesty's service. And the necessity is the greater in regard the contagion of disaffection and disloyalty to his Majesty's government is so great, that

Else impossible to continue the revenue.

without a reform it will be impossible to continue the revenue and restore the inhabitants unto their former loyall affections

His Lops improvemt of it since his arrival.

Your Honour will be more sensible of the late corruptions by the improvement of the Revenue since my Lord's arrivall, which will be found to amount to as much in six months as it did lately in one year, yet the trade now, not visibly so much as

His caution and justice.

formerly. My Lord hath acted every thing with so much caution and justice that nothing hath moved him to a censure but some downright act of disloyalty perpetrated to the disturbance of his Majesty's Government.

I have not been wanting to imploy the best thoughts I could conceive to make the government easy, nor shall I neglect any opportunity that offers to advance His Majesty's interest in the future settlement of the revenue; which I hope by my Lord's prudence will be still effected, notwithstanding of the resolution of angry people to the contrary. I humbly beg the continuance of your Honours favours to him who is with much sincerity

Your Honours most obliged
and most faithfull servant
JA: GRAHAM.

New Yorke
Septembr the 19th 1698

Earl of Bellomont to the Board of Trade.

[New-York Entries, B. 73.]

To the Right Honourable the Lords Cômissioners of the Council of Trade.

My Lords

In my letter to your Lordships of the 14th of this month I confined myself wholly to an account of our Indian affairs. This goes to acquaint your Lorships of severall other matters which I also esteem necessary you should be informed of. I send Muster Rolls of four Companys under my command, three originals of each company that they may be lodged in the proper Offices. I was present at all the musters and took all the care I could they should be exact, yet I know not whether I am not in the wrong in allowing myself a priviledge which my predecessor Colonel Fletcher exercis'd (viz^t) the mustering all my servants, but with this difference that I mustered no negroes as he did, not putt in three fictitious names of men (which is the number of servants allowed every Captain by the King) and that over and above all his servants. I muster seaven servants, and if they be thought too many I am willing to stand corrected. I shall continue to send exact muster rolls over every six months and would do it oftener but that one half of the year the frost and snow hinders a communication between this and the garrisons of Albany and Schenectady. I desire your Lordships will please to interceed with the King that the rest of the Captains and myself may be paid for full Companys, otherwise it will be an impossible thing for us to recruit from England, for here the service is under that vast discredit by former mismanagement that no man will inlist; and since it is not our faults the Companies are not full I hope his Majesty will more easily consent to our most humble request. The muster Rolls are (N° 1)

He sends Muster Rolls of the four Companys.

He has taken the liberty to muster 7 of his servants, but has not mustered his Negroes as Col. Fletcher did, nor put in fictitious names however if those he has mustered be too many, he will stand corrected

He desires that he and the other Captains may be paid for full Companies.

His reasons

While I was at Albany the inclosed petition (N° 2) was delivered me by the Chaplain and other Officers of the four Companies to get of the grevious burthen of £30 p^r cent. which hath been all this while a great discouragement to the service in this scarce country, where all things both for the belly and back are very near treble the rates they are in England.

He desires the deduction of 30£ pr cent may be taken of & sends the petition of the Officers and Chaplin of the Soldiers at Albany to him upon that subject.

M^r Brooks went from hence for England while I was at Albany, and for ten days or a fortnight before his going, all the factious merchants of this town resorted to him at Captain Willsons house the late Sheriff, where Brooks has boarded for severall years past, and there caballed till one or two of the clock in the morning, and upon his going away they all made their compliments to him at his lodging and attended him in a body to the place where he took boat, and a great many of them to the ship he imbarked in. I appeale to your Lordships whether by parity of reason M^r Brooks had not been as odious to the merchants, had he done his duty for seven years together that he was Collector here, as I was the first week of my coming hither for seizing the ship Fortune and a small remnant of East India goods. An account of these East India Goods and other seizures made since my coming here goes along with this (N° 3)

Whilst he was at Albany Mr. Brooks embarked for England.
All the factious merchants resorted to him.

And then waited on him to the ship.

Had he don his duty he had been as odious to them as the Earl of Bellomont is.

He transmits an account of East India Goods, ship Fortune, & other seizures since his arrivall.

I shall shortly make it further appear to Your Lordships, by his Accounts, besides the proofs I have already sent, that he was false to his trust and that there was a plaine Combination between Col. Fletcher and him to deceive the King

He will shortly make it appear that there was a Combination between Col. Fletcher and Brooke to cheat the King & the Province of what they could.

He is confident he shall be able to bring a charge of many thousand pounds to Colonel Fletcher's account.

and this Province of as much of the publick money as they could, and I am most confident I shall be able to bring a charge of a great many thousand pounds to Colonel Fletcher's account.

He complains of the recalling the men of Warr & shows the ill consequence of it.

My Lords I cannot forbear complaining of the step that has been taken at Court in recalling the two men of Warr under my command; 'tis of the last mischievious consequences to these Provinces, since it weakens the authority of the Kings Government here, favours their unlawfull trade and incourages Piracy beyond all the

The merchants insolence upon this occasion.

things that could have been thought of. This the factious part of the Merchants of New Yorke are sensible enough of, and have expressed their joy, saying they hope never to see another man of warr again to disturbe their trade, as they call it. Nay some of them have been so impudent as to wish they were in the like circumstances with their neighbour Provinces, the Jerseys on the one hand, and Connecticut on the other, no Governour from England nor any fort here to awe them in their trade; aud some of the merchants are yet more insolent, and have said they will undertake things shall be brought to that passe, as I

Brooke is sent home with a project in behalf of the Merchants with assurance of a great sume of money if he Col. Fletcher & Mr. Gilbt Heathcote (who are appointed their Agents) can make it take effect.

have now said, for there is a project sent home by Brooke with an assurance of a great sûme of money from hence, if Coll. Fletcher, Gilbert Heathcote the merchant, and Brooks (who are appointed their Agents) can compasse these things; and they are as cock sure of carrying the point and getting me turn'd out of this government as ever I was of eating a dinner in my own house where I

They have spread it all over the Province that they shall get the Earl of Bellomont turned out.

was under no control. And they do not stick to say it openly in this towne and have spread it all the country over. I shall chearfully submitt to his Majesty's pleasure whenever he thinks fit to recall me, and if these factious merchants do carry their point in getting me recalled, their joy will not be greater then my comfort; for I shall goe away with the testimony of a good conscience, for having to the utmost of my power and skill served his Majestie's true interests by being wholly uncorrupt, by pursueing the repeated orders sent me from Court to examin nicely into the late Governour's commissioning of pirat ships and sharing of their spoils, and by inspecting their trade, as I was obliged to doe, both by oath and the instructions of the government. I doe not all this while contende for keeping this government in the circumstances and with the appointment I now have, for I will make it appeare to your Lordships hereafter, when I am in better health, that no man of

He cannot make above £800 pr Ann. honestly of his government.

quality, and honesty at the same time, can live on the proffitts of this government. I doe not see as yet how I can make above eight hundred pounds p^{r} annum, sallary and perquisites. 'Tis true if I could make this the mart of piracy,

But if he would countenance Piracy, Illegal trade and other things that he mentions:

confederate with the merchants and wink at their unlawfull trade; if I would pocket all the off-reckonings, make three hundred pounds p^{r} ann̄. of the article of victualling the poore soldiers, muster half Companies, pack an Assembly that would give me what money I pleased and let me misapply it as I pleased, and pockett a great part of the

it might be as valuable as that of Ireland.

publick moneys; I could make this government very valuable, I beleive more then that of Ireland, which is reckoned the best government in His Majesties gift.

The order for recalling the Men of War was directed to the Capts (but no notice of it given to him.)

and that has so superseded his power over them, that upon notice of pirates in Delaware Bay (who had taken nine ships)

The orders of the Lords of the Admiralty for recalling the two men of Warr are directed to the Captaines, so that I am not thought worthy to be acquainted with the same, and which happens to be worse at this time, my power over them is soe intirely superseded that upon a pirate ship comming the other day into Delaware River and taking nine or ten ships & committing severall robberies on the people of Pensilvania, Captain Culliford (whom I spoke to first myself,

they refused to go to attack them.

and who was afterwards convened before the Councill) refused absolutely to saile his ship and fall on the pirates, saying he had positive orders to make the best of his way for England, and durst not stir a step out of his way for fear of loseing his commission. Colonel Markham's letters concerning that Pirate ship, and desiring me to send the Fowey Man of War to the releife of the people under his government, together with the

He sends papers relating thereto.

letter to him from the town of Lewis in Pensilvania as also the minute of Councill concerning Captain Culliford's refusall, with the copy of my letter to Colonel Markham are bound up together (N° 4)

The French there are very factious.

I must acquaint your Lordships that the French here are very factious and their number considerable: how safe it is for this Province, which I take to be the key to all the rest upon the continent and the cheife frontier towards Canada, to incourage

At the last election of Assembly men they ran in with the Jacobite party & boast that they had turned the scale.

them, I submit to your Lordship's judgment. At the last election they ran in with the Jacobite party, and have been since so insolent as to boast they had turn'd the scale and could ballance the interests as they pleased. There came

Thirty-three came to him at one time to be denizized.

thirty-three French to me at one time to be denizized; they desired to be

He has deferred it till he hear from this Board.

comprehended in one letter of denization without paying fees. I could have consented to that part but I thought it became me in prudence to delay the giving them such a letter, till I should first know your Lordships' pleasure therein.

Some of them who passed for Protestants during the war have been discovered to be Papists: that is suspicious.

Some French that passed for Protestants in this Province during the war have since been discovered to be papists, and one would suspect their businesse was to give intelligence to Canada. Amongst other instances I referr your Lordships to one mentioned in my Lieutenant Governour's letter from Albany, an extract whereof I send (N° 5) I remember M^r^ Dellius the Minister of Albany told me that the Count de Frontenac owned to him that he had a great part of his letters and intelligence from

He grants letters of Denization to any French Mercht that is a good Protestant.

France by the way of Boston, all the time of this late warr. Where I met with a merchant amongst the French and known to be a good Protestant, to such I grant letters of Denization. I heare the French have wrote to England for a

Those who have been delayed have writ to England for letters of Denization.

letter of Denization for all these people that I have delayed till I know your Lordships' pleasure, and for ought I know a great many more, and they say they will have them denizized in spight of me.

He has yet made no change in the Commissions of the Peace or officers in civill imployments or in the Militia (except in displacing Willson the Sheriff of N. York) tho' he thinks it necessary alterations should be made.

I have yet made noe one step in the change of officers in the Militia or of persons in the Commission of the peace or officers in civill imployments (except the displacing of Willson the Sheriff of this towne) but I find it absolutely necessary for the King's service that I should make an alteration in the three classes above mentioned, the persons that are at present in Office being generally men of an ill character and disaffected to his Majesty's Government. If I am not to late in this reforme I now write of, I fancy I shall be able with a little management,

He hopes to get the revenue continued for five years longer.

which shall be fair and upon the square to compasse the continuing the revenue for five years longer, which was the time it was granted for under

He sees no reason why those of Leislers party should be excluded from their share in the Government.

Colonel Fletcher's government. When that is once done I shall make it my businesse to bring the parties to a ballance. I can see no reason that the English and Dutch that are called Lesliers party should be any longer excluded from a

They make two-thirds of the people of the Province.

share in the government, they are reputed to be two thirds of the people of this Province, and why they should be crushed and oppressed soe long as they are

They are most sober and best affected to his Majesty.

obedient to the laws and government of England, I see no reason in the world: and that they are a more sober and virtuous people and better affected to His Majesty's government then the other party, I averr it for a truth which I am able to justifie.

The Jacobite party have a clubb commonly every Saturday. Their Ringleaders are Col. Bayard Col. Minvielle (both of the Councill) Mr. Nicolls & Mr. Willson the late Sheriff. There is so great an inveteracy in the people that he dares not leave the Province till he has answers to his former letters.

The Jacobite party in this towne have a clubb commonly every Saturday (which was Colonel Fletcher's clubb day) Last Saturday was seaven night there mett twenty seaven of them, their ringleaders are Colonel Bayard, Colonel Minviele both of the Councill, Mr Nicolls late of the Councill, and Willson late Sheriff of this towne; there is so great a rancor and inveteracy in these people that I think it by noe means proper for me to leave this province till I have your Lordships orders upon the representations I made to your Lordships by the Richmond Frigatt, and since, by Mr Weaver; for I do verily believe if I should goe from hence the people would fall together by the ears, besides should I goe away it would give the faction great advantage, and would tend very much to the revenues ceasing, and the measures I have proposed to myself for the obteining the continuance of this present revenue would be thereby frustrated. This the Faction know very well, and therefore are very free in their wishes that I were gone to my other governments.

He indeavours to promote the business of Navall Stores in New England.

And has accounts from thence that it is like to succeed.

Notwithstanding my stay here I am serviceable to the King in two materiall things; one is, the promoting of the business of Naval Stores, which I animate by frequent writing to my other two governments, and of which good designe I have received very hopefull accounts from the Purveyors that it is like to succeed, according to his Majesty's Royall care and your Lordships and my good wishes.

He hopes to make a peace with the Eastern Indians, and gives an account of the method he takes.

The other thing which I have in view is the makeing a peace with the Eastern Indians who have been soe uneasy to my other two governments all this last warr, and that by the means of one Schuyler a Dutchman, who being very popular with our Skackkook or River Indians, and which River Indians, having been formerly driven out of those Eastern parts by the people of New-England, the Eastern Indians still retein a kindness for them, and own them to be a part of themselves and of their own blood. This Schuyler is speedily to take a journey to those Eastern parts, and takes with him some of the Cheife of our River Indians by whose means he seems confident to prevaile with those people to make a perpetuall peace with the King's subjects, and he has yet a further designe to endeavour to invite them to come and live amongst our River Indians within this Province. I keep this matter private from my other governments, till I know the event of Schuylers negotiation. If he succeeds it will certainly be a service of the last consequence to those more Easterly Provinces.

He gives an account of all his proceedings relating to a Port at Perth-Amboy and of Col. Bass's behaviour in that matter, & sends papers relating thereto.

Your Lordships formerly sent me orders to maintein the priviledges of this port against Perth Amboy in East Jersey; upon which I issued a Proclamation signifying his Majesty's order in Councill thereupon; and Colonel Basse, Governour of the Jerseys setting forth a counter proclamation, I sent for him and shewed him the Orders your Lordships had sent me, and that in the presence of the Attorney Generall; yet this man has since had the impudence and folly to deny that he ever saw my orders and pretends he will by force maintain the port of Perth-Amboy. While I was at Albany he appeared before my Lieutenant Governor and the Councill and controverted the right that place had to be a port, and produced severall coppies of papers (but not one originall) to prove that the Lords of the Treasury & Commissioners of the Customes allowed it a Port. My Lieutenant Governour's letter to me at Albany, and the minutes of Councill

will inform your Lordships of this matter, they are (N° 6) and with them are bound up coppies of all Colonel Basse's papers, which he produced before my Lieutenant Governor and Councill, as evidences of Perth-Amboy being allowed a Port. I must not forget to acquaint your Lordships that when I shewed Colonel Basse the orders you sent me, he urging the validity of those papers, I now come from mentioning, and that the Act of Parliament of the 25th Car. the 2d gave the sole power of constituting Ports to the Lords of the Treasury and under them to the Commissioners of the Customes; I told him if he could produce an authentick originall order from the Lords of the Treasury or the Commissioners of the Customes, erecting Perth-Amboy into a Port, I would pay that defference to their orders as not to disturb any ships going in there, provided security were given that all goods landed there should afterwards pay the duty claimed by the port of New-York, in case upon my writing to the Ministers in England the matters should again be determined in favour of the port of New York; and I remember I argued with Colonel Basse the impossibility of the King's making such an order in Councill without the concurrence of some of the Lords of the Treasury, who as members of the Privy Councill would have sett his Majesty right if the matter had been wholly under the direction of their Lordships of the Treasury by that clause in the Act of Parliament. Besides I told him it could not be imagined that such eminent lawyers as my Lord Chancellour and Lord Chief Justice of England would sitt at Councill and not inform his Majesty that such an order was against law, were it really soe. To shew what little respect Colonel Basse paid to the orders of the government I send your Lordships an affidavit made by Mr Hungerford who together with Colonel Cortlandt is appointed to execute the office of Collector and Receiver Generall in Mr Brookes his stead, which is bound up with the abovesaid papers (N° 6.)

An account of Sheriff Willson's concealing East India goods in his house (where Mr Brooks lodged) & afterwards selling them.

I formerly acquainted your Lordships by Mr Weaver that I could have no dependance on Sheriff Willson to raise the posse and rescue the King's Officers that were made prisoners in Van Sweeten's house, which indeed was my first thought when the messenger brought me the alarming account of their being shut up and in danger of their lives; but then reflecting that I had had an information of the said Willson's concealing East India goods to the value of two thousand pounds in his house, I thought there was no way so certain and speedy as sending the soldiers then on the guard under the command of my Lieutenant Governour to make that rescue.

He should have had an information upon oath of Mr Brook's being Privy to it, but that the person feared to be murdered, and durst not doe it

To convince your Lordships that Willson had concealed East India goods and afterwards sold them, I send a certificate signed by Mr Randolph (N° 7) I had certainly had a proof upon oath of Mr Brooks being privy to Willson's receiving these East India goods in his house, and that all or the greatest part of them were carryed into his house before Brooks's face, but that the party was terrifyed, and did verily beleive he should be murdered should he declare his knowledge of that matter, so as it should be publickly known, for they are a most wicked and lawlesse people here and very revengefull. I was not here a fortnight when they threatned to murder Mr Graham the Attorney Generall and Mr Weaver upon an imagination that I consulted them in the businesse of their unlawfull trade, and the male administrations of Colonel Fletcher.

Mr Graham & Mr Weaver threatned to be murdered

By the next conveyance he will send observations on Col. Fletchers & Mr Brooks's accounts.

By the next opportunity I will send some observations on Colonel Fletchers and Mr Brooks his accounts together with severall other matters which I am now preparing. I conclude with much respect, My Lords

Your Lordships most humble
and obedient servant
BELLOMONT

New York
Septr the 21st 1698

Reasons of the Attorney-General of New-York against Amboy being a Free Port.

[New-York Entries, B. 97.]

To His Excellency the Right Honourable the Earl of Bellomont.

May it please your Lordship.

In the yeare 1664 King Charles grants to the Duke of York all the lands betwixt Connecticut and Delaware River. In the same year the Duke of York grants all the land betwixt Hudson's River and Delaware River to Sr George Carteret and John Lord Barclay.

Sir George Carteret appoints in the year 1665 Carteret, his governour to settle East New Jersey part of the said Grant.

In the year 1672. the Dutch take this Province and the East and West Jerseys. In the year 1674 Sr Edmond Andros by articles of peace receives this province from the Dutch with orders to deliver it unto his Royall Highness the Duke of Yorke who had a new grant for the same from King Charles the Second.

The Duke of York gives a new grant to Sir George Carteret for East New Jersey in the said year 1674, another to John Lord Barclay.

Sir Edmund Andros confirms all things done by the Dutch; New Yorke made a free port; Sir Edmd Andros confirms the duties laid by the Dutch upon trade, takes of in the year 1675 the Burgers pack or Excise at New Yorke, but exacts the other duties. In 1676 Colonel Carteret pretends to clear a sloop at Carolina, was obstructed by Sr Edmund Andros.

In the year 1678 put a duty of twenty shillings pr hogshead upon rumm.

In the year 1679. Governour Carteret declares that all vessells that will come and trade to East New Jersey shall be free.

One Mr Hooper orders a Ketch from Barbadoes to goe thither upon that proclamation; the Ketch was brought up to New Yorke and made to enter here & pay the dutys before she could carry her rumm to New Jersey. In the same year Sr Edmund Andros seizes upon the Governour and Government, calls an Assembly there, comes to no conclusion. In the year 1681 the executors of Sr George Carteret sell East Jersey the purchasers send over Thomas Rudyard, Samuell Groom to be Governours, they erect a town at Amboy, pretend to great priviledges, make some settlements there, but brings noe shipping further then Staten Island, where they were permitted to convey their household goods.

In the time of Colonel Dongan a ship goes to Amboy without reporting at New Yorke, was afterwards brought hither and permitted to load from this port. Complaint was made home

thereupon, and the King ordered they might have a port at Amboy upon condition that his collector at New Yorke should appoint and take security that all ships that should come and load or unload at Amboy should pay the duties arising to His Majesty in New York; upon which terms they accepted a Collector, and was accordingly sworn to execute that office. And in this state continued untill the time of the happy Revolution. Since which time there hath been noe pretentions unto a freedome of a port untill now.

Reasons humbly offered why Amboy ought not to be a free Port.

Imprimis the Province of New York hath a revenue established upon the trade to and from the Province by which his Majesty is enabled to defray the charge of his government, which cannot be duely paid if Amboy be admitted a free port, because the scituation of Amboy is nearest to Sandy Hook where ships enter from the sea and if they can goe twelve miles to a Port and be free from all duties, they will never come twenty four miles to pay considerable duties, so that the revenue will certainly fall.

If it should be permitted to be a free Port albeit they have officers appointed by the Custom house, yet they are not able to avoid the abuses that will be committed against the Act of Trade, because the inhabitants of that Province will always preferr their private gaine to the generall good of the Nation of England, and there being no force of government to suppress such unlawfull dealing, it will become (by being a free Port) a nursery to all the unlawfull trade of America; because at New-York who hath a strong garrison and ships of Warr to attend, yet it is with great difficulty that the said unlawfull trade is suppressed, and if not by your Lordships strict diligence, would fall into great disorder and confusion.

It is also against the policy of England; for Hudson's River is the same with the River of Thames; for altho' there is not soe great a breadth between the East and West side of Hudson River as there is between the mouth of the River of Thames, yet there is no other Port appointed in the said River but the Citty of London, and from the same reason the greatest distance between Amboy and Yorke not exceeding thirty miles, all the inhabitants of New Jersey cannot exceed by a moderate computation twelve *thousand* [1] families, and the inhabitants of the Province of New Yorke is at least five thousand families, who lay upon themselves a considerable burthen for the supporting the King's government, and therefore more reasonable that New York should be the port, as London is to the River of Thames, then that Amboy should be a port, and not only destroy so great a revenue to the King, but also force the inhabitants of this Province, who depend upon trade to repare where they may live more easy and by that means weaken the strength of so usefull a Province to his Majesty. And by maintaining the port of New Yorke there can be no greater violence done to the subject then there is in the river of Thames, but being found more for the King and Nation's service that London should be the port then any other place in the River of Thames (tho there be many convenient places for ports on both sides the river) yet it would be in prejudice of the improvements of London; and soe debarred. And by the same motive the lesser ought to yeild to the greater, being in like manner the more for the King's service and interest that 200 yeild to 5000, and four or five saile of vessells come to Yorke, and pay duties, then that the navigation of 100 sail that come to New York should goe to Amboy & loose not

[1] So marked in the Entry Book, Qu. 200. See the latter part of the paragraph.—R. L.

only the trade of the Province but the revenue that depends thereon. Many more arguments can be offered but this in the mean time for your Lordships present information is humbly submitted by

May it please your Lordship
Your Lordships most obedient
and most faithfull servant,
JA: GRAHAM.

New Yorke
June the 30th 1698.

Mr. Weaver's Statements to the Board of Trade.

[Journal, 11. 232.]

Whitehall September the 27th 1698.

At a Meeting of His Majesty's Commissioners for Trade and Plantations,

PRESENT— Mr Pollexfen
Mr Locke
Mr Hill.

New York Mr. Weaver. Mr Weaver Agent for New Yorke having been acquainted that their Lordships desired to speake with him, did (upon the several questions that were asked him) make answer to the following effect, vizt That there said to be about fifty of the Pirates belonging to Coates's ship, to whom Colonel Fletcher gave protections, some whereof remained still there; That it is judged some hundreds of Pirates have had Protection from Colonel Fletcher in that manner, but the number thereof is not exactly known; That the Sherrifs complained of about the Elections for the last Assembly are generally men of no great figure, Taylors and other mean conditions, and the same men have continued in several of those offices for several years; That the same Sherif is for the City and County of New Yorke, and for the County of Orange, That the writ for Elections was accordingly directed to him for both those Counties and that he returned four as chosen by the Inhabitants of the County of Orange as well as of New York, but as if chosen for the county and city of New Yorke; and allowed not any one to vote for the County of Orange: That he has seen the Register of Grants of Lands, some of which are very great; In so much, that it is thought there is not one foot of land left undisposed of in the Province; That he does not remember any condition in those Grants obliging the Grantees to the settlement thereof: That the Rents reserved thereupon are very small; In that to Captain Evans, which is for a Tract of thirty or forty miles in length, about twenty shillings; That those Reservations for Quit-Rents (where there are any) are made upon the whole grants supposed to consist of so many miles, not by certain measur'd acres; And that tho' there was a Surveyor General appointed by Colonel Fletcher, People will not be at the charge of surveying such vast Tracts; And so they are ordinarily granted without any survey.

New-Yorke After which their Lordships made a further progress in considering the Earl of Bellomont's Papers relating to that Province.

Report of the Board of Trade on the Affairs of the Province of New-York.

[New-York Entries, B. 1.]

To Their Excellencies the Lords Justices

May it please your Excellencies.

Representation relating to the general state of the province of New-York

The great importance of the Province of New York to the security of his Majesty's Plantations upon the continent of America and the disorders now rooted in that Province with the difficulties the Earl of Bellomont lyes under to redress them, oblige us to lay before your Excellencys some things relating to the State thereof, together with the proofs of the same as they either have been communicated to us by his Lordship or are otherwise come to our knowledge.

Council.

The first thing that he begins with (& which he continues in all his letters) is a complaint not only of the backwardness of the members of his Majesty's Councill there, and their declining to give him any manner of light or assistance in the business of the Province, but even of their direct opposition to him and of the frequent cabals made by all that were in favour with the late Governor, to obstruct his endeavours in the discharge of his duty, and to render him uneasy under it. This he imputes to the protection those persons have had (the Members of His Majesty's Councill as well as others) from the late Governor, in many illegal practices, and the sence of their own guilt therein; which makes them industrious to conceal and disguise all the former mismanagement of publick affairs, and to prevent any reformation for the future. Of this he gives many instances, some whereof we humbly crave leave to reduce under a few of the chiefest heads.

Piracy.

And because Piracy is a thing of so hainous a nature, and of so pernicious consequence that his Majesty is pleased at this very time to be at an extraordinary charge in an expedition to the East Indies for the extirpating of pirates there (a great part of whom have notoriously had their rise and support from the said Province of New York) and his Lordship writes that upon his inspection into matters of that kind and into illegal trade (which two he observes have there been frequently combined into a mutual support of one another under the management and for the interest of the most considerable persons in the country concerned in them both) complaints have been made that in the short time has been there, he has ruined New-York the capital Citty of that Province by hindering the privateers (a soft name given to Pirates) from bringing in thither the value of a hundred thousand pounds: We shall in the first place endeavour to give your Excellencyes some account of what lyes before us upon that subject.

The fitting out of pirates from thence, the Commissions they have had from Colonel Fletcher, their returne thither their reception, the protection given them, and the gratifications they have given for such like favours will be more or less evident in one or other of the following instances.

The depositions of Edward Taylor and Samuel Burges two mariners belonging the ship Jacob commanded first by William Mason and afterwards by Edw^{d} Coats, taken by the Earl of Bellomont the 3^{d} and 7th of May last (whereof Copies are hereunto annexed) express, that the said William Mason had a commission for the said ship as a privateer from Jacob Leisler whilst he was in authority at New York which was about the year 1690. that the said shipp mann'd at first with about 85 men, sailed to the East Indies, where they committed several piracies and

shared the value of 1800 pieces of eight, a man; that about the month of Aprill 1693 being then under the command of Edward Coates, they arrived back at Nassau Island; that from thence the said Taylor being deputed by the rest of the Company (then about 55 men) for that purpose, went up to New Yorke and addressed himself to M^{r} William Nicoll (then one of his Majesty's Councill there) who introduced him to Colonel Fletcher; that he opened to the Colonel his business, declaring the piracies they had committed in the East Indies, and in the name of the ships crew, promised to him and the said William Nicoll 700£ sterl. upon condition the said ship might be permitted to come to New York, and the men belonging to her have protections: which was accordingly agreed to, and the ship was afterwards brought up to New Yorke; but that it hapning in the mean while that the greatest part of the said crew had left the said ship and were dispersed so that the said agreement could not be performed, several of them (being owners) did in consideration of the protections granted by Colonel Fletcher make a present of the said ship unto him; and in gratification of M^{r} Nicholl's trouble in that transaction, made a contribution amongst themselves to the sum of £200 sterl. which the said Taylor presented to the said Nicoll.

Upon the producing of this evidence the said Nicoll acknowledged before the Earl of Bellomont in Councill, that he had received 800 Dollars from the said Taylor for obtaining protections, arguing only that he did not know any persons that were pirates and that he deserved the money for his paines in serving them. However, hereupon the Earl of Bellomont suspended him from his place in Councill.

Upon the same subject his Lordship further writes that Colonel Fletcher sold the said ship to Colonel Heathcote, a merchant there, for 800 £ besides what private presents reports saith were made to his lady and daughter, and besides also the price of particular protections, which his Lordship says he finds were commonly rated at one hundred dollars p^{r} man. And to this he further adds that for the better colouring of this transaction he finds that Colonel Fletcher overawed or amused the Councill into a consent that the said Coats, with his crew should be admitted & protected under pretence of allowing them the benefit of a certain clause in an Act of the country concerning pirates, tho' they had no manner of title to the benefit of that clause, and the rest of the Act be directly against them. In confirmation of which remark we hereunto annex copies of the said Act and of the Order in Councill made thereupon: and thereunto we also beg leave to add his Lordship's further observation, that tho' M^{r} James Graham a man of known ability and integrity in his Majesty's service be Atturny Generall in that Province and ought to have been advised with in matters of so great importance, yet he was never consulted in any thing of this nature.

His Lordship having recovered some original protections of that kind and sent us the copyes of one for Richard Potter, who belonged to the forementioned ship Jacob, whereof we have hereunto annexed the copy, and likewise one for Barnet Rynderson and another for Thomas Lewis who had sayled with Capt. Tew (another notorious pirate whom we shall have occasion to mention in the sequel of this narrative) wee thereupon humbly observe that tho' the stile of the said protections (being all of one tenour) express only the protection of the law, yet it has been so understood or looked upon by the inhabitants of that Province, that not any one person so protected (tho' it is thought there have been great numbers of them) has ever been prosecuted for such like crimes, but all of them that would remain there have been suffered to live without molestation, and several of them do yet remaine there: and further that the said protections do make mention of security given that the said persons so protected shall be

amenable to the law, yet his Lordship doth not find any such bonds or securities deposited anywhere in behalf of his Majesty, nor that ever any prosecutions were made for such like forfeitures.

In relation to this sort of protections we further annex hereunto the depositions of Dr Samuel Staats and Alderman Thomas Lewis, both of New York, made before the Earl of Bellomont the 6th of May last, who each of them respectively swear that they treated with Colonel Nicholas Bayard (a Member also of His Majesty's Councill there) for Colonel Fletcher's protections for the forementioned Rynderson and Lewis, and that tho' the said Bayard at first demanded one hundred pieces of eight for each of them (the rate the Earl of Bellomont says he finds them to have been ordinarily set at) yet he procured the said protections, and upon the payment of 75 peices of Eight each for Col. Fletcher, and 12 peices of Arabian Gold each, for himself, he delivered the same unto them.

Upon the same subject of Protections we further hereunto annex the deposition of John Wick (taken by the Earl of Bellomont the 2d of June last) setting forth that in the year 1996. upon the seizure of a chest, by Josiah Hobart Esqr High Sheriff of a County, which chest belonged to one Josiah Rayner, who had been out a privateering (that is pirating) with Capt. Tew, and contained in it a considerable treasure, he the said Wick at the desire of the said Rayner applied himself to Colonel Fletcher for the discharge of the said chest and a protection for the said Rayner's person, assuring him that Rayner would present him for it: unto which Col. Fletcher replyed that since the said Rayner went out with his permission (vizt in Tew's ship) he did well to come to him for protection; adding with all that he would not take any reward for the said protection; but if the said Rayner thought fit to make him a present, he would not refuse it. Whereupon Colonel Fletcher signing an order to the Sheriff Hobart for the discharge of the said Chest and a protection for the said Rayner (a copy whereof is hereunto annex'd) the said Wick did make a present to him of £50. (New York money) by a bill upon Colonel Abraham Depeyster, which Colonel Fletcher accepted in consideration of the said discharge and protection, and which bill was afterwards payed to Daniel Honan his Secretary, as by Col. Depeyster's deposition, also hereunto annexed, doth appear.

And to this we judge it proper also to add a copy of the deposition of John Hutchins Esqr and Hannah his wife, taken before the Earl of Bellomont the 24th of June last, expressing that Coats the Pirate afore mentioned told them that it had cost him for his own share 1300£ to procure his protection of Colonel Fletcher; tho' it be not very cleare to us, by the said deposition, whether this were for the forementioned piracies or some other afterwards.

The persons that the Earl of Bellomont names as having been particularly commissioned by Col. Fletcher, are Tew, Glover, Hoar, and Moston, whose commissions being there on record, he has sent us an extract thereof; and he thereupon observes that at the same time of granting the said Commissions to Tew, Glover and Hoar, they had none of them any ship or vessell within that government; and we further observe from an information given us here by another hand that in the year 1694. the said Tew being in Rhode Island did offer unto John Easton then Governor of that Colony £500. for a commission, which was refused, tho' it is certain others there have been very guilty of that fault. And Col. Fletcher's Commission to Tew, being dated in November the same year, makes it highly probable that it was not granted for nothing. But his Lordship adds that the tenour of these commissions be onely against the Kings enemies; yet it was known to all the inhabitants of New York that they were bound to the Indies and to the Red Sea, and that they themselves publicly declared it so, being thereby

the better inabled to raise men (which they were permitted to do) and fit themselves for their intended Piracies. He adds also more particularly concerning Tew that tho' he were infamous and had before been a most notorious Pirate and were complained of by the East India Company, yet upon his returne from a piratical voyage to the Indies with great riches, he was received with great intimacy and kindness by Colonel Fletcher who exchanged presents with him, entertained him frequently at his table and carryed him abroad publickly in his coach. And concerning both Tew and Hoar he sends us the copy of a memorial presented to him the 4th of May last by Mr Graham aforementioned His Majesty's Atturny Generall in that Province whereof we have also hereunto annexed a copy; and in further confirmation of what relates to Tew, we humbly crave leave to annex also an extract of the examination of William Philips and Edward Savill (two pirates) presented to the Lords Justices of Ireland the 15th of Augst 1696. which amonst other things expresses the sum said to have been paid to Col. Fletcher by Tew for his Commission, together with an extract of our own minutes of the 15th of September last which confirms what we have before reported from the Earl of Bellomont's letters relating to the common fame of private presents.

The several particular Acts of Piracy committed by Tew, Hoar and Glover in the East Indies are so notorious, that we conceive it not necessary to trouble your Excellencies with any account thereof.

Thomas Moston aforenamed, Cômander of the ship Fortune, had his commission also from Col. Fletcher, but by the burden of his said ship (100 tunns) number of gunns (tenn) and number of men (21) it appears evedently that he was not designed for any service of war, but rather as the Earl of Bellomont observes and as the issue manifests, it may be concluded that the said commission was given him onely for a colour, by means whereof he might returne to New Yorke with less observation; because otherwise that vessell being an unfree bottom was not qualified to trade in the Plantations, and without such a Commission would have been more exposed to search.

What the business was he went upon we shall have occasion to explain under the head of illegal trade but before we quit this subject of commissions, we beg leave to add what the Earl of Bellomont writes concerning the bonds given to Colonel Fletcher when the said Commissions were granted by him, that given by Tew was for 3000£. in which Edward Coats (another notorious pirate aforementioned) and Daniel Honan, Col. Fletcher's private Secretary were bound with him. That given by Hoare was also for 3000£. in which John Feny (a popish taylor of New York, a beggar) and the aforesaid Daniel Honan were bound with him. His Lordship does not mention that he had found the bonds given for the other two; but concerning these he adds, that they having by Col. Fletcher been committed to the said Honan's Custody, he the said Honan some time before his Lordship's arrivall there, blotted out his own name in the body of the Bonds as also his signing at the bottom, and torn of his seal which had been thereunto affixed, leaving the other names and seals intire. From which his Lordship strongly argues the consciousness both of Colonel Fletcher and his Secretary to the designe of these pirates, and in proof of what relates to Honan's signing and defacing the said Bonds, he has sent us four depositions, whereof copies are hereunto annexed.

Illegal Trade. We shall now proceed to lay before your Excellencys some particulars relating to Illegal Trade. The trade of that Port (as his Lordship writes) hath of late been very much increased, and the citty greatly inlarged and enriched, yet it is evident by the annexed copies of accounts for the year 1687 and for the successive years from 1692 to 1697. that His Majesty's

revenue arising from the Customes hath decreased very considerably from what it was ten years since; and from thence we can not but with his Lordship conclude, the great corruption of the whole body of that people, both officers and traders and humbly conceive the following instances will be some evidence of it.

The designe of Thomas Mostons afore mentioned voyage was for Madagascar; in order whereunto (as the Earl of Bellomont writes) he laded publickly at New York with goods usefull lo the pirates, taking his clearings out of the Custom house there; and at Madagascar took in East India Goods out of a Pirate ship commanded by Capt. Hoare afore mentioned and arriving back at New York about the very same time that his Lordship arrived there, it was with very great difficulty and after many trifling delays, amongst which one was want of a boat (tho' his Lordship thereupon observes that Colonel Fletcher had made an establishment of £30. p^{r} ann̄. out of his Majesty's revenue for a Boat for pleasure) that his Lordship constrained M^{r} Chidley Brook Collector and Receiver Generall of his Majesty's revenue in that Province, to make seizure of some small part thereof in the last boat that was coming a shore after the far greatest part had been privately conveyed away. But tho' his Lordship had informed M^{r} Brook that fourteen of Hoar's men were come passengers in the said ship, yet he did not seize any of them that they might have been punished for their piracies; nor did he take care that any of the other seamen should be forth coming to give evidence upon the tryall; it being so contrived (as it seem'd) on purpose between him and the merchants, whereof no less then 22 were concerned in the said lading. Much threatning was also used by the merchants to deter all persons from giving evidence; however some evidence being found, and the ship also appearing to be an unfree bottom, the few goods that had been seized and the ship, were condemned in a Court of Admiralty. All this is very clear from the papers which his Lordship has sent us relating to that proceeding. But besides this we have also had a direct information at our own Board the 9th of August last, of the said Moston's trading with pirates at S^{ta} Maria or Madagascar, as also concerning another vessell; of both which we have hereunto annexed an extract, and shall have occasion hereafter to referr unto it.

Upon this and other gross neglects and miscariages of M^{r} Brook, his Lordship suspended him from his forementioned places, as likewise from being of his Majesty's Councill, and constituted Colonel Cortland one of the Councill and one M^{r} Monsey Commissioners to execute the said places during his suspension; and it happening immediately after that his Lordship had intelligence of East India Goods not legally imported at one M^{r} Van Sweeten's house (which Van Sweeten we observe from another paper was one of the Contractors for the freight of the aforesaid ship Fortune) he sent the said Monsey with other persons to sieze the same, who found and seized them accordingly. But thereupon a tumult was made by the merchants (amongst whom M^{r} Philip French late Speaker of the Generall Assembly was eminently active) and the said Officers were locked up and imprisoned three hours in the said Van Sweeten's house, untill in the end His Lordship found it necessary to send his Lieutenant Governor with three files of men to break open the doors and set them at liberty. In proof of which open opposition to authority and how hard it is for those accustomed to illegal trade to bear the restraints of law, which his Lordship indeavours to have observed, we have hereunto annexed the depositions of the said Monsey and of D^{r} James Brodie and Robert Cranwell who were with him in that conjuncture.

The next morning upon another intelligence received, his Lordship sent again for the Custom house Officers and acquainted them where they might make another seizure. But M^{r} Monsey

refused to act any longer and laid down his imployment; by which means the opportunity of seizing a thousand pounds worth of goods, was lost. Whereupon his Lordship observes that the said Monsey having formerly been servant to Mr Brook (with whom as he confessed he had been then discoursing) and probably as deeply concerned in an illegal correspondence with merchants, as his master, did not now find himself fitly qualified to act so contrary a part.

His Lordship further writes that since his arrivall there five sayle of ships have been seen hovering on the coast, who may reasonably be suspected to have been either pirates, or such as had traded with pirates; but having by landing some men on the Jerseys understood the change of affairs in the government of New Yorke, they steered away and have not since been heard of there. This matter of fact has been also confirmed to us by letters from Mr Bass Governor of the Jerseys, and from Mr Randolph Surveyor Generall of His Majesty's Customes on the continent of America; and thereupon his Lordship adds that it has been observed there how great an advantage those formerly concerned in the management of these illegal practices have lost.

He writes also that in the begining of June last there being four merchants ships laden and bound for Madagascar, he called a Council and represented to them that he had just reason to suspect the said ships were intended for a trade with pirates and proposed that for prevention thereof good security should be required before their departure; but the whole Councill (some of which were concerned in those ships) unanimously opposed his proposition as being not prescribed by law nor ever before practised; so that he was forced to permit the said ships to proceed on their voyage.

There are more things relating to trade; as the want of a Navall Officer, or at least the execution of that place by the same person that was Collector (vizt Mr Brook aforenamed) the pernicious consequences whereof we have formerly represented to your Excellencys upon the subject of Virginia; also the want of a register for ships and other matters. All which might further shew how methods were contrived for an irregular management of those affairs. But what has been said already does (as we humbly conceive) sufficiently demonstrate the difficulties his Lordship has to struggle with in reforming the disorders in that government with relation to piracy and trade.

We only beg leave to add one thing further (not received from the Earl of Bellomont but by information here) it is an account of a ship or sloop called the Frederick belonging to Mr Frederick Philips one of His Majesty's Council of New York, which upon expectation of a vessell there from Madagascar was (since his Lordship's entrance upon that Government) sent out by the said Frederick Philips under the conduct of Adolphus Philips his son, upon pretence of a voyage to Virginia, but really to cruize at sea in order to meet the said vessell from Madagascar. Upon meeting of that vessell great parcells of East India goods were by direction of the said Adolphus Philips taken out of her, and put aboard the said sloop Frederick, with which, by his order, she sayled to Delaware Bay and lay there privately. He in ye mean while returned in the Madagascar ship (having then only Negroes on board) to New York, and after some days came again to the Frederick sloop in Delaware Bay. There the said sloop delivered some small part of East India cargo and from thence, by his direction, sayled with the rest (North about Scotland) to Hamburgh, where some seizure having been made by Sir Paul Ricaut (His Majesty's Resident there) and the men sent hither, they have each of them severally made depositions relating to that matter, before Sr Charles Hedges Judge of the Admiralty. But those depositions being long, yet agreeing all of them in

substance, we have hereunto annexed an abstract thereof, unto which we referr: only in proof that the forementioned ship from Madagascar had traded with Pirates, (which is not acknowledged in the depositions) we observe that Cornelius Jacobs (the Master's name) appears not only by the name but by all other circumstances to be the same Captain Jacobs who is named in our forementioned minutes of the 9th of August last to have traded with pirates.

Grants of Land. The next head under which we shall humbly represent to your Excellencies the rise of those difficulties which the Earl of Bellomont meets with in the administration of that government is the Grants of Lands made by the late Governor; and in order thereunto, we beg leave, in the first place, to set down a list of such grants whereof his Lordship has sent us either Copies or Abstracts; with this observation, that the lands therein mentioned are not laid out by exact measure of acres, but computed in the lump by miles.

A Grant to Colonel Nicholas Bayard a member of the Councill (whom we have mentioned before as an instrument in negotiating for Colonel Fletcher's protections to pirates) for a tract of land in the County of Albany claimed by the Mohacqs and containing about 24 or 30 miles in length: its breadth we know not.[1]

A Grant to Godfrey Dellius, Minister at Albany for a tract of land on the East side of Hudson's river containing about 70 miles in length and 12 miles in breadth.[2]

A Grant to Colonel Henry Beckman for a tract of land in Dutches County, containing about sixteen miles square; and likewise for another tract of land upon Hudson's River about 8 miles in breadth and 20 miles in length

A Grant to Colonel William Smith a member of the Council for sundry tracts of lands and meadows in the Island of Nassau, comprizing all the vacant lands between the bounds of former patents therein specified and computed to contain about 50 miles; what length or breadth we know not.

A Grant to Capt. John Evans Commander of His Majesty's ship the Richmond for sundry tracts of land lying on the West side of Hudson's River and containing about 40 miles in length and 20 miles in breadth.[3]

A Grant to William Pinhorn Esqr, Colonell Peter Schuyler Dr Godfrey Dellius, Major Derrick Wessells and Capt. Evert Banker, for a tract of land lying on the Mohacqs River, containing about 50 miles in length and two miles in breadth on each side of the said River.[4]

A Grant to Colonel Caleb Heathcote a member of the Council for a lot or toft of ground, containing in breadth about 27 foot and in length about 50 foot, which had been formerly part

[1] This grant included the valley on both sides of the Schoharie creek, from the mouth of the latter at Fort Hunter, in Montgomery county, to the high hills near the mouth of the Little Schoharie creek, in the town of Middleburgh, in Schoharie county. A description of these hills will be found in Sims' History of the latter county, p. 33; and of the patent, in Van Schaack's Ed. of the Laws of New-York, p. 32.

[2] It extended from Batten kill, in Washington county, N. Y., being the north bounds of the Saratoga patent, to Vergennes, in the State of Vermont. The north line of this patent will be found laid down in a "Map of French and English Grants on Lake Champlain," in Documentary History of New-York, I.

[3] This tract commenced on Hudson's river at the S. line of the town of New Paltz, in Ulster county, went thence westerly to the Shawangunk mountains, thence southerly along these mountains to the S. W. angle of the town of Calhoun, Orange county, thence easterly to the easternmost angle of the last named town, whence it proceeded S. E. to the Hudson river at Stony Point, and thence up the river to the place of beginning. It included the S. tier of towns in Ulster, two-thirds of Orange, and part of the town of Haverstraw, in Rockland county, N. Y. A map of this extravagant grant is No. 97 in the office of the Secretary of State, Albany.

[4] This patent is supposed to have embraced that portion of the Mohawk Valley extending from Amsterdam, in Montgomery county, to Little Falls, or perhaps to West Canada creek, in Herkimer. — Ed.

of the King's Garden. Also another part of his Majesty's said garden extending from the Stockadoes or fence thereof in the rear, as far into Hudson's river at low water mark.

And upon this head we would humbly observe unto your Excellencys, that the reason of granting lands in any of his Majesty's plantations being principally in order to the cultivating of the same, and that thereby the respective plantations might be the better peopled strengthened and improved, and his Majesty's revenue accordingly advanced, the quantities of land formerly granted were in such moderate proportions and under such charge of Quit Rent and obligation of improvement as might answer that end. Accordingly in the Province of New York the grants were for the most part under 1000. and seldome exceeding 2000 acres, with reservation of a Quit Rent of one bushell of wheat upon each 100 acres; and there was then also a law that all lands not improved or settled in three years should returne to the grantor. Like unto which we find one very express, both for surveying and planting whilst that Province was in the hands of the Duke of York before his accession to the Crown.

Quit Rents. Concerning Quit Rents, we find that S^{r} Edmond Andros in the year 1688 when the Province of New York was in the Crown, and the government thereof united to that of New England, was directed by his instructions not to dispose of any lands under a less reservation than 2 shill^{gs} 6. pence p^{r} 100 acres; but we do not find that any such limited instructions was given after his Majesty's accession to the Crown either to Colonel Slaughter or to Colonel Fletcher, but that they have been left at liberty to grant lands under such moderate Quit Rents, as (with the advice of his Majesty's Councill there) they should think fit. Nor do we find that any thing like the said instruction to S^{r} Edmond Andros has been of late observed; but that on the contrary all the rent reserved to his Majesty for that great and greatly mischievous grant of the Mohacq's land is only one Beaver's skin p^{r} Annum for the first seven years, and five Beaver's skins p^{r} annum for ever after; and that the Quit rents on Colonel Bayard's forementioned grant is only 10^{s} or one Otter's skin p^{r} Ann̄: and we have been informed that the Quit Rent on Capt. Evanse's fore mentioned grant is not above the value of 20^{s} and all other Quit Rents in like manner very small. And neither do we find that there is any condition inserted in any of the said grants to oblige the grantees to make settlements thereon; but for the more particular account both of the former and late methods of granting land in that Province we humbly referr to the annexed copy of a memoriall presented to the Earl of Bellomont the 30th of June last by M^{r} Graham the Atturny General aforementioned, who was directed, as he says, by Colonel Fletcher's warrants to draw grants, but never consulted with upon any of them.

Grants of Land. The sums which the Earl of Bellomont writes he had been told were given to Colonel Fletcher for grants of this kind (100 dollars by one, 50 by another, and the like) are very inconsiderable in proportion to the value he had also been told the grantees put upon their respective purchases. As for instance, that the forenamed Henry Beckman values his at £5000. The grantees of the Mohacq's land esteem theirs worth £25000. and that Colonel Smith's grant in Nassau Island is worth more than any of them all. But however that be, other motives suggested by his Lordship, and by M^{r} Graham in the forementioned memorial, as what may have induced Colonel Fletcher to grant of late such vast tracts of land as some of those before set down, are not onely that he might thereby the more oblige his friends and ingage a considerable party of men in his interest, but withall that he might render that government so much more uneasy to his Lordship, of whose appointment to succeed therein, he had advice.

In confirmation of this last suggestion his Lordship instances the forementioned grant of the pleasantest part of the King's Garden to Col. Heathcote, as likewise the leasing out to the Church a farm called the King's Farm, which usually supplied the Governour with bread corne; and the selling another part thereof which is meadow ground, (a scarce thing there) to Capt. Evans; adding that Colonel Fletcher would have also leased out a little island called Nutten Island (convenient for grasing a few Coach horses and cows for the Governor's family) to one formerly his footman, but that the Council were ashamed to consent to it; and yet further that he had permitted the fences and trees of the remaining part of the King's Garden (after he had knowledge of his Lordships being appointed Governor) to be destroyed by Cattle, that fourteen years will hardly repaire them.

These all are inconveniences to his Lordship, and which he looks upon as rubs designedly put in his way; but the more important consequences of such vast grants of land as those aforementioned (which his Lordship also remarks) are, that every foot of land that was to be disposed of and is fit for settling in that government, being in this manner granted away, it is impossible (while things remain so) that the country can ever be settled or peopled. The Grantees who are now proprietors thereof are too few to do it; there is no room left for servants to seat themselves after the expiration of their respective terms of service, with any prospect of advantage, by their own industry. Nobody will become farmers of lands not cleared and undertake that charge and trouble, unless the propriety be in themselves; nor is it likely that any should buy lands of those grantees, because the profit they will seek to make by their bargains can not leave sufficient incouragement for such second hand purchasers to plant and settle them. And it is not now in the power of his Majesty himself or of any future governor to reward with gifts of land the services of those that may deserve it, either in war or peace; so that all these severall ways of advancing in the settlement of the country being blocked up (unless some remedy be found) it must of necessity follow that, instead of increasing, the inhabitants strength and riches of that Province must daily decrease and decay.

But beside these and such like mischeifs attending in generall those exorbitant grants, there is some thing of more particular consideration in the grant of the aforementioned lands to M^{r} Pinhorn and others in the Mohacqs country; the title thereunto by purchase is not only contested, as may appeare by the annexed copy of the depositions of two Christian Indians Henry and Joseph, but the consequences thereof would be ruinous to the whole Province of New Yorke. For the Mahacqs have always been the best guard and security to those frontiers; and if they should be dispossessed of their country, it would be very difficult for the English and other his Majesty's subjects to defend the rest against any attempts of the French in case of another war. This is so evident and is so sensibly felt by the Citty and County of Albany that they petitioned Col. Fletcher against the passing of that grant and have since represented the mischeif of it to the Earl of Bellomont: First by the Magistracy of the said city, complaining at the same time of the neglect of their frontiers, the infringement of their rights and privileges, the discouragement of the Indians, and divisions fomented among themselves under the late Governor; and afterwards more particularly, by their Representatives, in the General Assembly, as may appear by the two annexed memorials; and in consequence of these and such like considerations, two of the Patentees for those lands (viz^{t} Colonel Schuyler and Major Wessells, both of Albany) have resigned their respective interests therein to his Majesty; but the other three insisting yet upon their right, and the Earl of Bellomont having thereupon examined into the whole matter and reported his opinion that the pretended

purchase of those lands from the Mohacks was fraudulent and the grant surreptitious and that the remaining Patentees ought not to make any settlement upon the said lands untill his Majesty's pleasure be signified therein, We have hereunto annexed a copy of his Lordship's said Report.

The last consideration we shall offer unto your Excellencys, upon occasion of these grants, is about the number of the inhabitants both of the City and County of Albany and of the Five Nations and River Indians bordering upon it. The annexed account which we have received from the Earl of Bellomont shews the great diminution of both, since beginning of the late war, which in the inhabitants of Albany has been chiefly by their departure from thence. And if now the Mohacks the nearest to us of the Five Nations and the most active against the French, should by the forementioned grant or grants (for we have reason to believe there are more then one, and that particularly that to Coll. Bayard falls pretty much under the same consideration) be dispossest of their Country, or by any discouragements put upon them, inclined to leave it; we should not onely lose at once the whole number of that people, and with them the other four Nations, but the Christian inhabitants of our outermost frontiers (being deprived of the shelter they had from them) would also infallibly desert, and leave the whole Province of New Yorke exposed to the incroachments of the French of Canada.

Forces. This leads us in the next place to represent to your Excellencys the State of the Forces now under pay there and of the fortifications of the frontiers. Concerning the Forces his Lordship writes that he finds them in a miserable condition, not half the number that they should be by the Establishment and almost starved: and in another letter more particularly he says, that by the hardships formerly put upon them the desertions have been so great that in his own Company (which ought to consist of a hundred men) there are but about 35 private sentinells; instancing further as one hardship, that tho' their pay by the Establishment be thirty p^{r} Cent. worse then sterlin, yet Colonel Fletcher deducted out of each private soldiers subsistence ½ penny p^{r} day, which for 400 men amounts to 16^{s}. 8^{d}, and for a continuance of severall years makes a very considerable sum; besides the indirect advantages which he also made by sending home full muster rolls when the men were not really half the number; and beside what he wronged them in the additional allowance of 4^{d} p^{r} day made by the Country, and beside also great advantages he and the Officers made by stopping their subsistence when any of them were licensed to labour. This being the state in which His Lordship found them, he writes that he has taken off these hardships and clothed them, yet fears he shall not be able to recruit and fill the Companys without men from hence.

Fortifications. Concerning the state of the Fortifications on the Frontiers, he writes, that having sent Col. Romar the Ingineer Generall to visit the same and received a Report from him that they have been all of them very much neglected and are now exceedingly out of repair, as likewise that some are ill situated and useless, and that others are wanted in more proper places; his Lordship thinks it absolutely necessary for the security of the Province that the said Col. Romar be directed to remain there yet some while longer for the finishing of that service.

Assemblys. These being some of the difficultyes which (upon his arrival in that Province) His Lordship found himself ingaged to cope with, the means whereby he cheifly expected to overcome them was, by calling a Generall Assembly. In order thereunto (together with writs) he put forth a proclamation against undue elections and returnes of Assemblymen, but complains that instead of complying therewithall, the Sheriffs (who were for the most part men of mean

rank and had been continued in those places from year to year by the late Governor) had carried themselves most unfairly. In so much that one of them made return for a County (viz^t Orange county) in which he suffered not any one freeholder to vote. Upon the meeting of the Assembly his Lordship laid before them in his speech the state of the Province (being several of the heads which we have now more largely represented to Your Excellencys) and particularly recommended to them the finding out some expedient to reconcile the parties amongst them; which he oft complains of, as the root of many disorders. But instead thereof the whole Assembly, consisting of but nineteen persons, eleven whereof sat by controverted Elections; those eleven being the greater number, established themselves and brought all things into the greatest confusion, without doing any manner of service to the Publick. For upon their so exceeding foul carriage in the business of elections, six others whose elections were uncontroverted protested against them, and petitioned his Lordship for redress: Upon which he was forced to dissolve the Assembly, tho' the state of His Majesty's revenue there (it being neer upon expiring) did (as every thing else) very much require their sitting.

There are many other particular things which we shall beg leave to lay before your Excellencies in separate Representations: but these being such as cheifly concerne the generall state of that Province. we will at present only add one, which (tho' particular) falls under the same consideration with others aforementioned. It is, that the Earl of Bellomont has given us an account how upon proof of most undutifull and scandalous words against His Majesty's
Pinhorn. person and Government, spoken by William Pinhorn Esq^r one of His Majesty's Council and a Judge in that Province (and whom we observe to be the first person named in the forementioned pernicious grant of the Mahacqs Land) his Lordship had suspended him as well from his place of Judge as from sitting in His Majesty's Councill, untill his Majesty's pleasure therein be further declared.

E. of Bellomont to be countenanced in his proceedings. Upon this view of the whole matter we humbly represent to your Excellencys our Opinion that the corruption in the main body of the people of New York (by the long incouragement they have had in many illegal practices) is grown so great, and the opposition raised against the Earl of Bellomont (for his endeavouring to redress the same and to lay open the guilt of those that have been cheifly concerned therein) so strong, that unless his Lordship be very particularly countenanced and speedily supported by your Excellencys authority, in the discharge of his duty, and that all or at least the Cheife of those who have been most guilty of the forementioned miscarriages be discouraged censured or punished, as may be found necessary; it will be found impossible for his Lordship to effect any thing of moment in that Province, which can be truly for his Majesty's service or for the good of the Province itself.

We therefore most humbly propose that his Lordship may be commended for his great zeal and diligence in reforming what he has found amiss and particularly in having suspended the forenamed William Nicoll, Chidley Brook and William Pinhorn from their respective places whether in Council or otherwise, and that the said persons by your Excellencys authority be removed from the same. And further that in like manner Nicholas Bayard (whose guilt in treating and receiving bribes for the protection of persons who were supposed to be pirates has above been explained) as also Frederick Philips (whose great concerns in illegal trade are not only the subject of common fame but are fully and particularly proved by the depositions relating to the Frederick sloop aforementioned) may be also by your Excellencys' Authority removed from their respective places in Council and fom all other places of publick trust in that Government whatsoever.

The Vacancys in Councill now filled

And in order to the filling up the vacancies that will be in his Majesty's Council there by the removal of the five forementioned persons, we humbly crave leave to observe unto your Excellencys (from two lists of names which the Earl of Bellomont has sent us in order to the filling up of vacancies) how difficult it is to find persons there who are themselves disinteressed and free from the guilt of such practices as ought to be reformed. For in the first of the said lists his Lordship has, upon such information as he first got, inserted the name of Philip French,[1] whom he has since represented to have been at the head of the tumult raised upon the the forementioned seizeur of goods at M^{r} Van Sweeten's house and the great supporter of unfair elections in the Assembly, whereof he was Speaker and his own election controverted; for which reason he left him out in the second list; and we do not think fit to propose that he should be of his Majesty's Council; and in both the said lists his Lordship (not then knowing what has since been discovered concerning the voyage of the Frederick sloop to Hamburgh) has inserted the name of Adolphus Philips, son of the foresaid Frederick Philips, whom we also conceive unfit to be of his Majesty's said Council, for the same reason that we have proposed for his Father's removall. Upon the rejecting therefore of these two, we humbly offer unto your Excellencies all those that remain in his Lordship's last list, viz^{t} Colonel Abraham Depeyster James Graham Esq^{r} D^{r} Samuel Staats physician Robert Livingston Esq^{r} and Doct^{r} John Corbile Physician, as the persons whom we at present judge most fit to be constituted of His Majesty's Council of New Yorke instead of the five proposed to be removed, and most humbly propose that they may be constituted and appointed accordingly.

Pirates to be prosecuted.

Another thing that we conceive highly necessary for his Majesty's service in the discouragement of Pirates and in order to their suppression, is, that his Lordship be directed to cause all those that are sheltered in that Province under the colour of Colonel Fletcher's forementioned protections, as also all others that can be discovered either there or in any other of his Majesty's territories under his Lordship's government to be prosecuted and punished with utmost severity according to law; and that his Lordship be also directed to take the like care in relation to illegal traders.

Exorbitant Grants of land, to be annulled.

In the last place concerning the fore mentioned exorbitant grants of land, which we humbly conceive (without some effectual remedy) will be very destructive to that province, which, as we have before observed, is the safeguard and cheif fence of all his Majesty's northern plantations; we most humbly offer that all methods whatsoever allowed by law, be put in practice for the breaking and annulling of them, and that for the future no grants of lands be made there under a less Quit Rent to his Majesty than 2^{s} 6^{d} p^{r} 100 acres, as was directed by S^{r} Edmund Andros's forementioned instructions, nor without an obligation oupon the grantees to plant and settle the same within the space of three years at furthest, under the penalty of forfeiture.

All which nevertheless is most humbly submitted.

(Signed) PH: MEADOWS
JNO. POLLEXFEN.
JNO. LOCKE
ABR: HILL.

Whitehall
Oct. 19. 1698.

[1] PHILIP FRENCH, a merchant of New-York, was originally from Kelshall, Suffolk county, England. He married Annetje, daughter of Frederick Philips, and, in common with that family, was an opponent of the Leisler party. He was Speaker of the Assembly in 1698, but the violence of his political enemies soon after rendered it prudent for him to absent himself until the arrival of Lord Cornbury. He was appointed Mayor of New-York in 1702, in which year and in 1705 he again represented that city in the Assembly. He died in 1707, leaving three daughters, but no son. — ED.

Earl of Bellomont to the Lords of Trade.

[New-York Entries, B. 121.]

To the Right Honourable the Lords Commissioners of the Councill of Trade.

My Lords.

The Fowy Frigatt which sailed hence the 23^{d} of last month carried your Lordships my letters of the 14th and 21st of the said month.

The 6th of this month Captain Schuyler returned from Canada and brought me a letter from that Governour a copy whereof I now send your Lordships (N° 1) together with Captain Schuyler's journall of his voyage (N° 2) and the minute of Councill taken at his comming here (N° 3) by which your Lordships will perceive the French have given over their designe of invading our Indians for the present.

I send your Lordships a copy of the information of Colonel Cortlandt one of the Commissioners of his Majesty's revenue here, brought last week at the Supream Court against the goods of Mr. Van Sweeten merchant, formerly seized by my order, and M^{r} Van Sweeten's confession of judgment thereupon; which is a further evidence of the ship Fortune being an unfree bottom and bringing East India goods, which information &^{c} is (N° 4). The Bill of appraizement of the said Van Sweetens goods is (N° 5.)

I send also the deposition of M^{r} Ludlow, merchant in this town, of a great quantity of East India goods brought to him to conceale, to the value of two thousand five hundred pounds, as he computes them. The said deposition is (N° 6) and your Lordships will see by it that M^{r} Willson the late Sheriff of this Town was concerned in the said concealment, which agrees with the information brought me of Willson's having East India goods in his house to about that value, before I sent to seize Van Sweeten's goods, which was the reason I could not depend on the said Sheriff Willson's raising the posse to rescue the King's Officers made prisoners in Van Sweeten's house, and was therefore forced to send my Lieutenant Governour and some soldiers to make that rescue. 'Tis observable how little regard Willson had to his oath as High Sheriff, who tho' a sworn officer to his Majesty was notwithstanding very active to defraud his Majesty. Brooks the late Collector boarded with Willson, and I am morally certain he was privy to Willson's concealment of those goods in his house.

There goes with this a certificate under the hand of the Surveyor Generall of this Province of severall most extravagant grants of land by Colonel Fletcher (N° 7) and Lieutenant Hunt, a gentleman who goes from Boston in the Deptford man of Warr, is to deliver your Lordships a new Map of this Province (it being too bulky to make up in this packet) made by the said Surveyor Generall, the exactest, I beleive, that has yet been made, wherein he has described the severall large tracts of land granted, with the grantees names; so that your Lordships will see that this whole Province is given away to about thirty persons in effect, to the great prejudice of the Crown, because at that rate this province, which by its scituation is the most considerable of all the Provinces on the Continent (and ought to be under the best regulation) can never be well peopled, for men will not care to become base tenants to proprietors of land in this Province, when they can buy the fee-simple of lands in the Jerseys for five pounds p^{r} hundred acres, and I beleive as cheaply in Pensylvania. I do not find that Colonel Fletcher had any power by his Commission to sell the lands in this Province, and yet 'tis certain he took money for all the grants he made, except that of the Mohacks land, which I cannot yet find

out. If he had reserved in those grants he made, a reasonable Quit Rent to the Crown, he would have been less to blame then he is; but I find the rents reserved in all his grants are trifles. Having formerly represented to your Lordships the great mischeif of these extravagant grants, I ought to ask your pardon for troublëing you again on the same subject: but it being a thing in my apprehension of so very great consequence to the Crown of England, I cannot forbear reminding your Lordships of it, in hopes your wisdom will find out a way of voiding these extravagant grants and limitting all Governours to a certain number of acres in their grants, obliging them to reserve a Quit Rent of half a Crown on every hundred Acres, to the Crown, and restraining them from selling the lands to the person they grant them to. I should think a thousand acres were a sufficient quantity of land to grant to any man, for the clearing of land from wood costs £4. 10^{s} p^{r} acre all this country over, so that it would require a good purse to man[a]ge and overcome a thousand acres, this country being all under great woods, and yet M^{r} Dellius the Minister at Albany, besides his share of the Mohacks land, has in another grant which your Lordships will see by the Mapp at least seaven hundred thousand acres of land.

I am informed the Gentlemen I suspended from the Councill are very confident of being restored: and among the rest M^{r} Pinhorn; When the depositions of M^{r} Earle and his mother were taken before me and the Attorney Generall, and they confronted by M^{r} Pinhorn there were two materiall circumstances omitted in the said deposition; one was, that they charged Pinhorn at the same time that he spoke those scandalous words against the King, with saying that the King of France would save his troops that year and act defensively, and tire out the Confederate army, and when he had so done he would come with a mighty force upon the King and his confederates and would devour them. This was so like the cant that was among the Jacobites in England at that time that I confesse I was induced to beleive the charge against him was true, he looking at the same time very guilty, and what further confirmed me in the belëif of his guilt was their accusing him of harbouring and entertaining one Smith a Jesuit in his house, three or four months, about that time: to which he replyed that the said Jesuit had not been in his house above three weeks or a month.

To let your Lordships see that M^{r} Nicolls since my suspension of him from the Councill for being a broker between Colonel Fletcher and some pirates, continues to correspond with those profligate people, I send John Williamson's deposition, which also makes mention of scurrilous words spoken against me by the man and woman of the house, who being absolute strangers to me, must in all probability have received their notion of me from M^{r} Nicolls, and that he has been a most restlesse incendiary against me, has told them (as I heare he has told others) that by my discountenancing piracy I should impoverish and ruine this country. I send your Lordships another deposition of John Williamson's of the same date concerning pirates money, but that which is most remarkable therein is Colonel Willet one of the Councill's great care and pains to conceale the said mony from me. Jones, formerly a pirate, endeavours in his deposition, to cleare Colonel Willet, but besides that his is a negative Oath he is under a very ill character in the country, and I cannot for my part give credit to his evidence. Williamson was under no temptation that I can find out, of forging that accusation of Colonel Willet, and Benjamin Thurston's deposition does in great measure confirm the evidence of Williamson. Both the deposition of Williamson, and those of the two Thurstons, Benjamin and Daniel, and also of Jones, Whitehead, Walters, and Harrison are bound up together (N° 8)

The 28th of last month I suspended Colonel Bayard, Colonel Minvielle, Colonel Willet, Colonel Townley and M^{r} Lawrence from the Councill; finding it absolutely necessary for his

Majesty's service so to do; for tho' they were such sycophants as to comply with Colonel Fletcher in all the parts of his corrupt Administration, they were always resty and perverse in every thing that I proposed for the King's service in Councill; and when they were out of Councill they were allways caballing and contriving to make the government uneasy to me. My instructions oblige me to give every Councellour that I suspend, reasons for my so doing, and then to transmitt those reasons and theire answers to your Lordships. My reasons against Colonel Bayard I herewith send, but he has not yet given in his answer. The reasons I drew up with my own hand, and my proofs are noted in the Margin and referr to all the particular proofs, and are all bound up together, reasons and proofs (N° 9.) I am apt to beleive the reasons are weighty enough to convince your Lordships of Colonel Bayard's guilt, and that I am in the right in removing him and the rest from the Councill: I say the rest, because all the articles conteined in the reasons against Bayard are chargable for the most part on the rest, and also upon Brooks, Nicolls, and Pinhorne formerly suspended. Only Colonel Townley is exempted from my charge against the rest, for he formerly[1] refused to be of the Councill, and never has come near the Councill in Colonel Fletcher's time or mine; besides his constant residence is in East Jersey. I wonder how he comes to be complimented so far, as to be named in the list of Councellours in Colonel Fletcher's instructions and mine. Besides the reasons I have given against Colonel Bayard (and which as I have observed to your Lordships will affect all the rest) these gentlemen's dissent from me when I proposed the merchants of this town's giving bonds this summer, when they sent four ships to Madagascar that they would not trade with pirates, when they came there, has made me sick of such Councillors; for what dependence can I have on men who refused to joyne with me in a thing so reasonable in itself and adequate to His Majesty's instructions. I have kept to my instructions which obliges me not to exceed the number of seaven Councillours, when by death or suspension the number before happened to be under seaven; the four persons I have made of the Councill to make up the number seaven are Colonel Abraham Depeyster, M^r^ Robert Livingston, D^r^ Samuel Staats and M^r^ Robert Walters; they are men of good estates and reputation, and very well affected to His Majesty's government. The Government has no small obligation to M^r^ Livingston, for were it not for him, the four Companys here had deserted long since, there having been due for their subsistance in Colonell Fletcher's time near £2500, which so far discouraged the then victuallers and others, that I find nobody willing to subsist the companies but M^r^ Livingston, who purely to serve the government and prevent the disgrace of the soldiers desertion did undertake it, and now there is almost £4000 due for victualling, and I never received any, and S^r^ William Ashurst whom I appointed Agent for the companies writes me word he had received no pay or subsistance for the Companies the 16^th^ of last July, which is the date of his letter. Therefore I must desire your Lordships will please to interpose your care and interest with the Paymaster Generall, that all these Companys be duely paid and subsisted with the rest of his Majesty's army in England; otherwise I shall suffer in my reputation, and M^r^ Livingston be under a discouragement from any longer answering that service. These four Companies are upon the same establishment with his Majesty's army in England, therefore I wonder how they come to be so neglected

I have writ to M^r^ Weaver the Agent for this Province to apply to your Lordships that these four gentlemen whom I have named to be of his Majesty's Councill, may have the King's letter to confirm my choice of them, which I desire your Lordships will please to comply with; and

[1] Qu? formally. — Ed.

Mr Weaver will pay the fees thereof. Mr Phillips resigned his Councillours place upon the score of his great age, being seaventy-two years old, and Mr Lawrence is superannuated too, being eighty two years of age. I also displaced the same day Mr David Jamison from being Clerk of the Councill and Deputy Secretary: he is a Scotchman by birth and was condemned to be hanged in Scotland for blasphemy and burning the bible, but in mitigation of the sentence he was transported to this Province & sold a servant. He is a professed Atheist and has two wives at this time, if his true one be not dead at Lithgo in Scotland within these twelve months. This man was first in Colonel Fletchers confidence and favour above all others, and he used to commend him to every body for the honestest man he ever knew in his whole life, one or other. He has inriched himself by extortion in his office and other works of darkness, but cheifly 'tis said by the grants of lands sold by Colonel Fletcher, he having had a share for brokage. I had sooner dismissed him but that Mr Clement who was to come over, my Secretary disappointed me dirtily and staid behind me in England, so that I came unprovided of a Secretary, and found so generall a corruption in the people here that I knew not who to trust.

I have so many instances of peoples disaffections to the government that I resolve very speedily to appoint Commissioners to goe all the Province over, and tender the Oaths to his Majesty, the Test and Association to all people, by which means I propose to secure the fidelity of such people as are wavering in their Allegiance to his Majesty, and I shall have this further fruit by it, that I shall know and discriminate those who are professed Jacobites; of which 'tis said the number is not small in this Province.

Some people in this town are inraged against me, because Mr Weaver went under the notion of my friend, and that I made him upon two or three occasions Council for the King. Willson the late Sheriff brought an action against him at the last Supream Court for saying that the said Willson was forsworn for making the returne of members to serve for this town in this last Assembly, and the Jury who were pack't and made up mostly of the hot violent people of this town, found for Willson against Mr Weaver, bringing in 500£. damages. The reason was, that one Clark who is Coroner and in the vacancy of the Sheriff impannelled the Jury, is one of that faction, but the Attorney Generall and other Councell have given in such pregnant reasons in arrest of judgment that it is beleived there is an end of the suit. I could have put in another Coroner, but I thought it was fairest not to do soe, and I had a curiosity to see how the malice of that party would operate on that occasion. That faction are mightily prejudiced against Mr Weaver partly that being a lawyer and named by me twice or thrice to be of the King's Councill, he inveighed ingeniously and smartly against some of the merchants in this town, before me and the Councill (severall of the merchants being present) for their unlawfull trade and factious behaviour towards the Government. Another reason of their prejudice to Mr Weaver is (as I conceive) that at my first coming to this government severall of the merchants indeavored to bribe Mr Weaver, and me by him; but he rejected their offers with indignation and honour.

About three weeks since the relations of Mr Leisler and Mr Milburne desired leave to take up the bodies that had been buried near the gallows and give them Christian burial in the Dutch Church here. I thought their request so reasonable that I consented to it, partly out of a principall of compassion, but cheifly out of a respect to the Act of Parliament for reversing the attainder of those two men; which Act does also legitimate Captain Leisler's assuming the government of this Province and putts a censure upon the illegality of his execution; as your Lordships will see by the Act for Reversing the attainder of these men, which goes herewith

and is (N° 10) I may add to these a third motive, that prevailed with me, which is, that Coll. Fletcher refused to obey that Act of Parliament by restoring the heirs of those two men to their father's estate; which treatment of his, gave his party the boldness to vilifie it, by calling it a libell, a forgery, an Act surreptitiously obteined in the Parliament of England; and I have been told that the rage and malice of some of that party have transported them to the burning it. I that am a hearty lover of English laws and that value no Englishman that is not so, thought it proper to assert the Act of Parliament which had been treated with infamy. My design is cheifly to give the people here a just idea of English laws, that they bear the stamp of the highest authority of the King and Nation of England, and ought to be respected as sacred. There was great opposition made to the burying of those two men by the contrary party, but I was resolved, for the reasons I have already mentioned, to give that satisfaction to the relations of those unfortunate men. I had no reason to apprehend any disorder from a meeting of Leisler's friends or such as think the proceeding against him was arbitrary and cruell; for I formerly told your Lordships that I have found those people more obedient to Government then the contrary party. There was a great concourse of people at the funerall (1200 'tis said) and would 'tis thought have been as many more, but that it blew a rank storm for two or three days together, that hindered people from coming down or crossing the rivers. I continue to be with respect, my Lords,

Your Lordships most humble and
most faithfull servant
BELLOMONT.

New Yorke
October the 21st 1698

P. S. My Lieutenant Governour Captain Nanfan is newly arrived here from Albany where he has had a conference with severall Sachims of the Five Nations of Indians, to diswade their going to Canada to exchange prisoners with the French. Your Lordships will receive with this his Narrative which will informe you of the substance of the said Conference (N° 11.)

Now that I come to collect the proofs that are to make good my reasons for suspending Colonel Bayard from the Councill, I find severall of them have been formerly sent to Your Lordships, by different conveyances, and being loath to incumber you with the same papers over again, I distinguish the proofs formerly sent from new ones now sent, in a list (N° 9) and that in so easy a method (by pointing to the ships names by which my letters were conveyed and the dates of those letters) that they will be easily resorted to.

I cannot make good my promise to your Lordships of sending a state of the revenue and accounts of the Province, by this ship; there is not above two or three days work to finish it, but the merchant concerned in this ship happens to be one of those angry men that was concern'd in the ship Fortune, and is not willing to oblige me with her attendance three or four days longer, and I am loath to compell her stay, and shall therefore write to your Lordships by the Deptford man of War, which goes from Boston ten days hence, and will probably be as soon in England as this ship, and then I will send the state of the Revenue and of the Accounts.

New Yorke
October the 22d 1698.

Count de Frontenac to the Earl of Bellomont.

[TRANSLATED FROM THE FRENCH.]

[New-York Papers, E. F. G., E 2.]

Quebec, 21st September, 1698.

Sir,

I should not have so long deferred sending some persons of merit and distinction to receive some intelligence of you, and to return the civilities you were pleased to exhibit in my regard through Messrs. Schuyler and Dellius, had the vessels I expected from France arrived here sooner. The delay of the latter is the sole reason that still induces me to postpone the departure of my envoys until next spring, fearing as I do lest the advanced state of the season would prevent their return before the close of navigation.

I learn from the despatches I have received from court, as you must have learned on your part, that the Kings, our masters, had resolved to name, respectively, some commissioners to regulate the limits whereby their dominions in these countries are to be determined in case of difficulty.[1] Therefore, Sir, it appears to me that, before speaking to me in the style you have done in your last letters of the 13th and 22d August, which I have just received by these gentlemen whom you have sent me, you ought to have waited the decision of those commissioners, and not think of thwarting an affair already commenced, and which may be regarded as domestic, inasmuch as it is between a Father and his Children, whom the former endeavors in every way to bring back to their duty, beginning by mildness, and being resolved to use more severe measures should the first fail of effect.

It is a matter which you must consider entirely distinct from the treaties of peace and friendship mutually concluded by the Kings, our masters, in which you cannot interfere without avowing that, far from employing every means to cultivate that good understanding their Majesties desire may exist between our two nations, you would, apparently, search for pretexts to prejudice the treaties of peace which have been concluded, wherein I doubt if you have his Britannic Majesty's authority. For, as regards myself, in wishing to oblige the Iroquois to perform the promise they have given me before it was known that peace had been made between the two Crowns, and for which they left hostages, I only follow the plan I had laid down; whilst you, by assuming pretensions altogether novel and utterly unfounded, turn aside from what you indicate that you have adopted to preserve the good correspondence and union which have been so strongly enjoined on us. For you really want me to tell you, that I am sufficiently well informed of the sentiments of the Iroquois to know that none of the Five Nations pretended, or desired, to be under the dominion of England, and that you have not a single proof to convict them of it, whilst those in our possession, and which will be submitted to the commissioners to be named to examine this question, will be so clear, so ancient and so incontestable that I doubt if they can be answered; therefore, Sir, am I determined to pursue, unflinchingly, my course, and I request you not to attempt to thwart it by what would turn out in your case to be useless efforts; and all the protection and aid you have declared to me you have already afforded, and will continue to give the Iroquois in opposition to the terms of the treaty, will not cause me great alarm, nor oblige me to alter my plans, inasmuch as they would, on the contrary, rather engage me to prosecute them still more.

[1] See note on this statement, in *Smith's Hist. of New-York*, 8vo., 1829, I., 129; also in *Smith's Hist. of Canada*, I., 130. — Ed.

Whatever untoward results they may have, you will be responsible for, in the face both of Heaven and of the King, your master; as you will be the sole cause of all the bloodshed that will follow.

You want me to tell you that you have been misinformed, when you were told that the French and Indians, settled among us, had committed, this year, some outrages on the Iroquois. It is very true that the Outaouacs, and particularly the Algonkins, made a considerable attack on the Onondagas; because this nation, as well as the others, had declared they would not make any peace with them. They have brought to Montreal five prisoners, whom they captured in that expedition. I have taken these out of their hands, in order to save their lives, intending to restore them on the arrival of their deputies to conclude, according to their positive promise, a peace with me, and to arrange matters better between them and all the other Far nations under the King's dominion.

I have reason to believe that if the Iroquois have not brought me back all the prisoners in their possession, it is because you formally opposed it; when they shall return to their duty, and have performed their promise, I will restore them those who are here; that will not prevent me thanking you for the kindness you manifested to the four other Frenchmen whom you have sent back.

I have sufficiently explained myself regarding some Indians of Acadia, and was always apprehensive that, unless those of their tribe, who are detained in prison at Boston with such bad faith, were immediately restored to them, they might organize some expedition against your colony. I regret, nevertheless, the attack which, as you inform me, they made on Hatfield, where they killed two men. This obliges me to send, now, a second order to these Indians to make them cease hostilities. But I have again to repeat the request, that you have their people sent back to them; to which you have not given me any answer.

You perceive that I express myself to you with the same frankness and freedom that you address me in your last letters, continuing, however, to protest to you, that no one can entertain a more sincere desire than I do to keep up good correspondence and friendship between both our nations, and that I shall always be, as much as possible,

Sir,

Your most humble and
most obedient servant,
FRONTENAC.

(Addressed)
A Son Excellence
Mons[r] Richard Comte de Bellomont
Gouverneur General de la Nouvelle
Angleterre et de la Nouvelle York.
A la Nouvelle York.

A true copy
(Signed) BELLOMONT.

Captain Schuyler's Report of his Journey to Canada.

[New-York Papers, E. F. G.—E. S.]

Narrative of Capt. John Schuyler's journey to Canada being sent express, by his Excêll. the Earl of Bellomont. Anno D. 1698.

The 27th of Augst we went from Albany and came to Stony Arabia[1] 8 miles up ye river, where we lodg'd that night and gott our birch canoe ready.

The 28th we came to Sarachtoge forty miles from Albany.

The 29th we gott 4 miles upon ye carrying place where one Hillebrand yt married a French woman overtook us & would go with us to Canada, but he haveing no passe sent him back with two Indians to ye Lieut. Governr

The 30th we came eight miles into ye Wood Creek.

The 31st we came to ye little Falls

The first of September we got 4 miles into Corlaers Lake

The 2d of Septr came neere to Fort Lamott.

The 3rd we arrived at Chamblie, ye 4th at Laprarie ye 5th of Sept. we gott to Mont Royall where Mor de Calliere ye Governr entertained us very kindly; we desired to have a canoe to go Quebeck, but he told us all his things were put on board of a bark, in order for his goeing to Quebeck himself & that he carried two birch cano's with him, one whereof should be at our service if ye wind should prove contrary.

The 6th & 7th of Septr was so bad weather none could stirr abroad

The 8th about noone the wether cleered up & having a good wind we embarked, & the 9th of Septr we arrived at Quebeck; where I forthwith waited upon ye Count of Frontenac ye Governr & delivered him his Excêll. ye Earl of Bellomonts letters, who having read them seemed very much displeased, saying the letter recéd from his Lordp. by Col. Schuyler & Dom. Dellius was very acceptable, but now my Lord threatnes me, but I am not afraid, my Lord Bellomont claims the 5 Nations of Indians, which is none of his due.

The 5 Nations call me. Father, and my Lord Bellomont Brother, & shall not ye Father chastise his children as he shall see convenient, but if they will come to me I will do ye part of a Father to them: and thus we parted at that time, without any further discourse, to my lodging.

The 10th of Septr I went to see ye Count of Frontenac who in discourse asked me about ye strength of my Lord Bellomont's governments. I told him that I believed he knew that very well, that by comon report my Lord could raise one hundred thousand men, rather more than lesse; ye Count said he had alwayes understood the same. In the meane time while we were thus discoursing, I saw severall officers & soldiers that were disbanded & upon ye newes of ye peace come for their pasports in order for their going for France (there being seaven ships come from France this sumer that were bound home againe). The Count of Frontenac asked me why my Lord Bellomont was so hasty to hinder ye 5 Nations to come and treat with him, since there were persons appointed by both crownes to settle ye lymitts of both their Colonys. I answered him that I admired what made ye Count so hasty to force ye King of Englands subjects to come to them since he himself owns there are persons ordained to settle ye bounds.

[1] Now Lansingburgh, Rensselaer county, N. Y. — Ed.

The Count of Frontenac replyed, how can y^e^ 5 Nations be y^e^ King of England's subjects, a Father is neerer than a Brother, & when we were at Schenatady anno 1666 to fight y^e^ Indians, Corlaer did not assist them; if they had been his subjects they would have protected them, but on y^e^ contrary he supplyed us with meat and drinck, cured our wounded & sent them home to us. I answered him that argument would not hold water, for that there was no need of assisting y^e^ Indians then, for they were strong enough of them selves, & that Corlaer being moved with compassion to see soe many Christians liked to be knocked on y^e^ head by y^e^ heathen, diverted y^e^ Indians rather to prevent y^e^ effusion of so much Christian Blood, & by that means y^e^ French escaped; neither do I think there is any roome left to controvert y^e^ King of Englands right to y^e^ 5 Nations. Such you know they have declared themselves long ago & you may very well remember that in Col: Dungan's time our Kings arms was put up in all their Castles to manifest y^e^ same. The Count answered nothing upon it, but said, if they do not come I will pursue my old methods with them; meaning to come with an army upon them to compel them. I asked the Count if he would be pleased to dispatch me for my time was short. Whereupon he told me he would do it as soon as possible he could, & so I retired to my lodging. About 2 a Clock in y^e^ afternoone y^e^ Count of Frontenac sent for John Rosie my interpreter; I did conjecture what y^e^ matter might be, having caused some of my people to drop that y^e^ Lieut. Govern^r^ was come to Albany with 300 men, & that 600 were ready to follow upon occasion, & this being told to an English prisoner who was great at y^e^ Count Frontenac's house, did suppose it might have come to y^e^ Count's ears, I told John Rosie to go; who comeing to y^e^ Count he began to speake of my Lord Bellomont's coaches and horses &^c^ but at last asked him if y^e^ Lieu^t^ Governor was come to Albany with forces. John Rosie seemed to be surprised at y^e^ question and asked y^e^ Count how he came to have that intelligence, since he did not interpret any such thing: y^e^ Count replyed, I have heard it of an English prisoner that heard it in your chamber. Where upon John Rosie confirmed the wholl story.

The 11^th^ of Sept^r^ we had foul weather; y^e^ Count Frontenac invited me to dine with him next day.

The 12^th^ of Sept^r^ being Sabbath day, I dined with y^e^ Count, where a great many officers were present, being y^e^ day appointed for y^e^ proclamacón of y^e^ peace. The Count at table begun y^e^ King William's health, which was drank by all y^e^ officers; whereupon I begun y^e^ French King's health, & y^e^ Count begun y^e^ Earl of Bellomont's health, & then y^e^ Peace was proclaimed with all y^e^ acclamacóns of joy imaginable, y^e^ Castle and y^e^ shipps in y^e^ Road discharging all their cannon. Y^e^ night ended with illuminacóns & other demonstracôns of joy. I took leave of y^e^ Count and begged that I might be dispatched y^e^ next day, who said I should and so parted.

The 13^th^ of Sept^r^ I went for y^e^ letter which was delivered me by y^e^ Count & an officer and 3 men appointed to conduct me upon my way as farr as Chambly; but it being foul wether did not proceed till next day.

The 14^th^ of September we departed from Quebeck & came to Troy River on y^e^ 16^th^ where we heard y^e^ news of y^e^ Sachims of y^e^ 5 Nations being come to Mount Royal, which surprised us much, and one Capt. D'Artel that lives at Troy River told us of y^e^ Govern^r^ of Canada's design, y^t^ if y^e^ Sachims of y^e^ 5 nations would not comply with his proposals when they came to treat with him, he would send them prisoners to France. I resolved thereupon to go to Mount Royal to hear what propositions they would make, thinking that might have some influence upon them, altho' it was 36 leagues out of my way, being designed to go by y^e^ way of Sorel.

The 18th of Septr we arrived at Mont Royal & found to our great joy that ye report of ye Sachims being come there, was utterly false, neither was ye messenger from Onnondage arrived. Staid there 3 days ye weather being bad.

The 22th I resolved to go to Prary by land & sent ye canoe about with 3 hands and 3 Frenchmen to meet me at Chambly.

The 23th I met ye Canoe at Chambly; upon my way between Prary & Chambly, a French Mohoq Sachim followed me, & told me in ye behalfe of all ye Sachims then conveined, that I should tell the 5 Nations that if the Governr of Canada should make an attacque upon ye 5 Nations (which they scarcely beleived) that none of their Indians would join with him in that expedition, and if ever he should attempt it, they would advertise ye 5 Nations of it.

The 24th of Septr I departed from Chambly, ye said French Sachim followed me 4 miles on this side Chambly to repeat what he had told me, after ye French officer had left me; for he could not well have ye freedome before ye said officer, being sent on purpose, as I suppose, to hinder me from any conference with ye Indians, for ye Indians were forbid to come to me to my lodgings att Mont Royall. Never the less I found ways by walking abroad to speak to them, who stood in every corner at my beck, & ye Moquase as well as North Indians did faithfully promise they would returne to their former habitacons in this Governmt if my Lord Bellomont would take care that they might be furnished with good teachers or ministers to instruct them in ye Christian faith, as they of Canada do, that haveing been ye only cause which did induce them to leave this Government.

I was informed that ye French of Canada had sent one hundred men with live cattle to Cadarchqui; I met ye officer yt comanded ye said party, comeing back at Troy River.

The merchants of Canada have obtained an order of ye Count Frontenac to call home all ye Bushloopers or Ottaway traders, & that 80 of ye said people had complyed & were come & comeing home; but yt 60 did positively deny to obey, but would trade their goods and did with armes in their hands resist ye Count of Frontenacs messengers. This order is obtained in favour of ye merchants that ye Ottoway Indians should come down to Mount Royall themselves and trade, and not that ye Bushloopers should go to Ottoway to fetch ye Bevers.

As to ye French of Canada, after a strict inquiry I find ye garrison weakly mann'd, many officers and soldiers being dismissed; there are not above 12 men in Chambly fort, the utmost frontier. I beleive they may be between 3 & 4000 French inhabitants & soldiers in all Canada & about 1000 Indians whom they can command.

A true copy

(Signed) BELLOMONT.

JOANNES SCHUYLER, the writer of the foregoing narrative, was the youngest son of Philip Pieterse S. and Margaret Van Slechtenhorst. He was born at Albany on the 5th of April, 1668, and was the grandfather of General Philip Schuyler of the American Revolution. *Proc. of N. J. Hist. Soc.*, I., 71, 179. He was interred in the Dutch church, Albany, on the 2d of March, 1747. *Munsell's Annals*, I., 243.

Captain Nanfan's Negotiation with the Five Nations.

[New-York Papers, E. F. G., E 19.]

At a meeting of y^e^ Sachems of Oneyde Onnondage Caijouge & Sinnekes at y^e^ Citty of Albany in His Matys: Province of New Yorke y^e^ 8^th^ Oct^r^ 1698

PRESENT—John Nanfan Esq. His Matys Lieu^t^ Govern^r^
Coll: Peter Schuyler on of his Matyes hon^ble^ Council.
Major Derrick Wessells Mayor
Capt. John Janse Bleeker Recorder

Sadaganacktie Sachem of Onnondage speake in y^e^ behalfe of y^e^ 4 Natıons &^c^

Brother Corlaer,

Sometime since y^e^ Govern^r^ of Canada sent two Indians to acquaint us that he expected we four Nations should each send a Sachem with what French prisoners we have to Cannada, there to receive our prisoners in exchange, and to conclude with him a seperate peace. We answered, we depended wholly on y^e^ peace already concluded between y^e^ Kings of England & France, and to y^e^ Covenant Chaine lately renewed at Albany by his Excêll. y^e^ Earl of Bellomont. We ordered De Cannosora to York forthwith to acquaint his Excellency with this message. De Connosora returned with Major Wessels and brought answer from his Excêll. that we should hold no correspondence with y^e^ Govern^r^ of Cannida. We then dispatcht back y^e^ French Indians with answer that we would not come by way of Cadaraque, but Albany, and we are come accordingly, & have appointed our messengers &^c^ from Oneyde, Odatsichta; from Onnondage Sonnachtowane; from Cayouge, Nadawhochtet; and from y^e^ Sennekes Sonas Jouwa; y^e^ Mohacques are yet unresolved, but we have brought with us six French prisoners.

We desire that his Excêll will appoint a fitt person to go with us to Cannida to be a witnes of our discourse as yet we have not resolved what proposals to make at Cannada but designe to do that here, now we are together.

We have also ordered the messenger that went back for Cannada to accquaint y^e^ Govern^r^ there that he must stay at Mont Reall till our coming, that we would not go to Quebeck.

It is also resolved by y^e^ Sennekes not to proceed against their enemyes y^e^ Dewoganna's till y^e^ returne of y^e^ Sachem.

The Lieu^t^ Govern^rs^ Answer

Brethren.

I very well approve of bringing what French prisoners you have with you, to this place & your so firmly keeping y^e^ Covenant Chaine as hitherto, to have no correspondence with y^e^ Govern^r^ of Cannada, from whence Capt. Schuyler is arrived, whome I immediately dispatcht for York to receive his Excêll. instructions, w^ch^ when he returnes (as I do believe he will in 3 dayes) I will impart to you what shalbe material; y^e^ interim be no wayes terrified with y^e^ boasting threat of y^e^ French Govern^r^ but depend upon y^e^ strength of our Great King who is able and will equally protect you with y^e^ rest of his subjects.

Att a Meeting of y^e^ Sachems y^e^ 15. of October att Albany.

PRESENT—John Nanfan Esq. His Mâtys Lieu^t^ Govern^r^
Coll. Peter Schuyler of his Mâtys hônble Privy Council.
Henrick Hanson Esq^r^ Mayor
Capt. James Weems.
Capt. John Janse Bleeker, Recorder.
Major Derrick Wessells.
Capt. John Schuyler.

The Lieu^t^ Govern^r^ acquainted them that Capt. Schuyler arrived here yesterday in y^e^ afternoone; he thought considering their long journey to their owne Castles and y^e^ ill weather they had to travell in, not further to detaine them, but had ordered Capt. Schuyler to appeare, that him selfe might inform them of his expedition in Cannada, that no room might be left to give them y^e^ least jealousie of any underhand dealing on their acco^t^ between this governm^t^ & y^e^ Govern^r^ of Cannada.

Capt. Schuyler gave them a particular acco^t^ of his voyage & of what he both saw & heard there, confirming it with a hand of Wampum.

The Lieu^t^ Govern^r^ laid open y^e^ inconveniences might accrew to them should they rashly and so contrary to y^e^ Covenant Chaine lately renewed at Albany between them and his Excèll: attempt such a journey; with all assureing them of y^e^ King of England's protection, & his Excèll resolution of obliging y^e^ Govern^r^ of Cannada to comply in delivering their prisoners should he prove refractory; tho' according to y^e^ report as they had heard from Capt. Schuyler and confirmed for truth by him, there was no reason to doubt but they when they arrived at their Castles would meet their prisoners they so much wisht for; at y^e^ same time assureing them of y^e^ pleasure his Excèll: or himself would take and y^e^ readiness they would be in to serve them were there any occasion or any insult made on them by y^e^ Govern^r^ of Cannada in his person or by his order. Also assureing them as hitherto by his Excèll, the Covenant chaine had been intirely kept, so should it by this government be no way violated; desireing them to intrust y^e^ French prisoners in his custody promiseing them forthcoming when they shall demand them. Gave a bunch of Wampum.

Sadaganacktie informing that y^e^ ceremony of condolence for y^e^ losse of two principall Sachems of Onnondage, was forgot, at y^e^ late renewance of y^e^ Covenant chaine by his Excèll; that before y^e^ approvement of this governm^t^ they could nor would choose any other in their roomes, they had already acquainted y^e^ other four nations.

The Lieu^t^ Govern^r^ according to y^e^ usual ceremony gave a bunch of Wampum, condoleing y^e^ Sachems losse and approveing what choice they should make among themselves.

Albany 17^th^ Oct^r^ mett y^e^ before said Sachems.

Present, as before, except Capt. Jo. Schuyler.

Sadaganachie speak in y^e^ behalfe of all.

Brother Corlaer.

We have come to acquaint you of y^e^ resolution wee have taken since our last meeting. Wee are well satisfied with your advice & y^e^ acco^t^ Capt. Schuyler gave us of y^e^ intent and

proceedings of y^e^ Governm^t^ of Cannada. We receive your bunch of Wampum and do now deliver you our 5 prisoners provided they may be conteined in this garrison, and not sent to York, but be redelivered to us when we shall think fitt to demand them. We now designe to returne to our Castles with all possible expedition, firmly holding fast y^e^ Covenant Chaine renewed lately between us, and throw our selves wholly upon you, being one heart, one head & one body; desireing you'l neither sleep nor neglect us, but if any messengers or news relateing to us comes from Cannada you will immediately acquaint us with it. Gave 2 Beavers.

As we acquainted his Excéll. when here, so we now acquaint you that since y^e^ conclusion of y^e^ peace between y^e^ two Great Kings, we have lost several of our best men; we desire to know if in our absence any of our young men are gone out to revenge y^e^ losse of their friends, whether we shall recall them.

We receive your bunch of wampum condoleing y^e^ losse of our 2 Sachems & shall proceed to another choice.

The Lieu^t^ Govern^r^ answered this action & resolution of theirs would much redound to their reputacón, that he would not faile to acquaint his Excéll. with y^e^ particulars, withall ordering them at their returne to their Castles, should any of their young men be abroad, immediately to recall them, and to suffer none to goe out in a hostile manner; assuring them y^t^ what ever hostilityes were committed by y^e^ Govern^r^ of Canada on them, since y^e^ conclusion of y^e^ generall peace, he would be forthwith obliged to give satisfaction for.

A true copy.

(signed) Bellomont.

Earl of Bellomont to the Lords of Trade.

[New-York Entries, B. 188.]

To the Right Honourable the Lords Commissioners of the Councill of Trade.

My Lords.

My last letter of the 21^st^ instant conteined a miscellaneous account of severall matters relating to this Province. In this letter I shall confine myself to a relation of the state of our frontiers and fortifications:

Colonel Fletcher when he was here valued himself very much to me for defending the Frontiers 'Twas happy for him and this Province that the frontiers were never attacked and one would think the Governour of Canada had not, till lately, a right intelligence of the weak condition of the garrisons. If by providence the last winter had not been the severest that ever was known in the memory of man, the French had certainly destroyed both Albany and Schinnectady: I am well informed they were prepared at Mont Reall for it, having had in readynesse 1500 pair of raquetts or Snow shoes, 140 small boats and 250 Canoas, but the snow being deeper than the height of a man, they durst not venture to put their designe in execution. Albany and Schinnectady are equally defenceless, being only fortified with a single row of stockades, no ditch or wall, so that an enemy that would be hardy enough may come

and with their musketts single out what men they pleased in either place; for I observed the stockades had in many places wide spaces between them, and they are even with the surface of the ground. If the French had attacked Albany last winter with half the number of men they had provided at Mont Reall they could not (rationally speaking) have failed of taking it. I do not beléive they would have thought it worth while to have kept it; the plunder they would have had; but that neither had not been their point, but rather the Five Nations of Indians, who 'tis more than probable would have revolted entirely to them upon such a losse and disgrace suffer'd on our side: but God be thanked for the escape this Province has had. Your Lordships will have seen two addresses printed with the conferences I sent by the Fowey Frigat, from the inhabitants of Albany and Schinnectady to me, when I was at those places, earnestly desireing they might have good defencible forts built for their future security in time of warr. The Engineer Colonell Romar has view'd those places very particularly and has taken great pains to make as just an estimate as may be of the charge of two stone forts with Barraks for the soldiers; which charge he reckons will amount to nine thousand pounds for both. He is to go over in the Deptford man of Warr from Boston, and will wait on your Lordships with the plans of the two Forts, as he has projected them, had he not been recalled by order from the Board of Ordnance. Where this nine thousand pound will be had, I cannot imagine, for the Assemby, when ever it meets, will never be brought to continue the present revenue, and raise so great a summ of money for building those Forts beside. This town and county are rich, and so are the Inhabitants of Long Island alias Nassaw Island, because of their lying convenient for trade, but all the inland parts of this Province are poor. In my next letter which is to treat of the Revenue and Accounts of this Province, I shall propose a fund for building the Forts at Albany and Schennectady, which are so necessary for the defence of this and the neighbouring Provinces, that I hope your Lordships will obtain the King's order that they may be begun this next spring, and I desire Colonel Romer, who is reckon'd a very good engineer, may be sent over hither again, for I have a great opinion of his honesty and I will use my best endeavour that neither he nor any body else shall make a hand of building those Forts. 'Tis wonderfull to me why Colonel Romer is recalled when he has been here but six months and has scarce had time enough to view the Frontiers and has yet made no report home, in what condition he has found them. If such forts were built and well garrisoned, the French could never make any impression on this Province and it would be the certainest way of secureing the Five Nations of Indians to the obedience of his Majesty; for they are as sensible of our weaknesse as we are ourselves, and good Forts to be retreats for us and them, would very much animate and ingage them in our interest. There have been formerly two or three little Forts more advanced towards Canada then Albany and Schenectady, but in my opinion they are superfluous; if those two places were fortified it would be enough; they are both of them very well seated for frontier places, Albany for covering all the Province from attacks on Canada side, and Schenectady for doing that in part, and also for covering the Mohacks and the rest of the Indians, it being very comodiously seated on the Mohack's river, and much more pleasantly then Albany. I am with respect, My Lords

Your Lordships most humble
and faithfull servant
BELLOMONT.

New Yorke the
24th Octr 1698.

In saying above that other Forts besides Albany and Schenectady are superfluous, I mean now in time of peace; for when there is a warr, the Half Moon and Canastagione are esteemed by all hands very necessary to be fortified by sod-works and Stockades, which will quickly and easily be done when there is occasion for it.

Order in Council on the Report of the Lords of Trade of the 19*th of October.*

[New-York Entries, B. 43.]

At the Councill Chamber Whitehall the 25th of October 1698.

PRESENT — Their Excellencys the Lords Justices in Councill.

Upon reading this day at the Board a Representation from the Councill of Trade, relating to the state of His Majesty's Province of New Yorke[1] and proposing:—

That a letter should be writt to the Earl of Bellomont the Governor of the said Province, commending his zeale and diligence in endeavouring to redresse the great disorders there, and particularly in having suspended William Nichols, Chidley Brook and William Pinhorne from their respective places, as well in the Councill as from other places of publick trust within that province; and proposing likewise that the said persons may be removed from their said places, as also that Nicholas Bayard and Frederick Philips be likewise removed from their places in the Councill, and from all other places of publick trust within that government for the misdemeanors they stand charged with; and in their rooms Colonel Abraham Depeyster, James Graham Esq^{r} D^{r} Samuel Staats, Robert Levingston Esq. and D^{r} John Corbile may be constituted and appointed of his Majesty's Councill for the said Province:

That in order to the discouragement and suppressing of Pirates, all such as are sheltered in that Province or can be discovered there, or in any other his Majesty's territories under the Earl of Bellomont's government, as also all illegall traders; be prosecuted with the utmost severity according to law:

That all exorbitant grants of Land may be broke and annulled by such methods as are allowed by law, and that for the future no grants of land be made there under a less Quit-Rent to his Majesty than two shillings and six pence for every hundred acres, nor without an obligation upon the grantees to plant and settle the same within the space of three years at the furthest, under the penalty of forfeiture:—

Their Excellency's the Lords Justices in Councill taking these proposalls into consideration are pleased to approve of the same, and to order, That the Councill of Trade do forthwith consider of and prepare the necessary drafts of letters instructions and orders to be sent to the Earl of Bellomont accordingly.

And as to that part of the said Representation which relates to the state of the Forces their Excellencys are pleased to order, That it be referred back to the Councill of Trade for their consideration thereof, and to report their opinion what they conceive will be necessary to be done therein for His Majesty's service.

W^{m} BRIDGEMAN.

[1] See ante, p. 385. — ED.

The Lords of Trade to the Earl of Bellomont.

[New-York Entries, B. 36.]

To the Right Hon^ble^ the Earl of Bellomont Cap^t^ Gen^ll^ & Cômander in Cheif of His Majesty's Province of the Massachusett's Bay, New York and New Hampshire, in America, and of the Territories there upon depending &^c^ or to the Comander in Cheif of His Mat^y's Province of New-York for the time being.

My Lord.

His lres recd. We have received your Lordships several letters of the 8^th^ 18^th^ and twenty-fifth of May, and of the 22^d^ June, and 1^st^ July last, together with all the papers mentioned to be there inclosed, and severall others that have been delivered to us by M^r^ Weaver, and have also seen what your Lordship has writ to our Secretary.

We were very glad to receive the news of your Lordships safe arrival at New Yorke after so tedious a voyage; but have been much troubled to understand the many difficulties you have there met with, in promoting such things as tend to His Majesty's service and the true interest of that Province. Your Lordship's zeal therein is highly commendable; and we therefore shall not fail in contributing our endeavours to promote (as it may lye in our power) whatever may be usefull to those ends.

His diligence commended.

All the advices your Lordship has given us about the favour and protection allowed to Pirates and the connivance at illegall trade, are very usefull, nor will the things that you have offred on other subjects be lost. We intreat your Lordship therefore to continue your punctual advice upon all things. For we do observe them; and tho' we can not at once answer on each distinct head, we shall go on in doing what the trust his Majesty has reposed in us requires, and from time to time give you notice thereof.

Pardon for 2 Pirates. Your desire of a pardon for Samuel Burges and Edward Taylor has been complied with by directions which have been sent you by order of the Lords Justices, to do it yourself (if you think fit) by virtue of the power conferr'd upon you by your Commission; and for that reason we have not thought fit to move their Excellencys in what your Lordship desires by your letter of the 1^st^ of July about a pardon for John Elston.

Directions about persons suspected of Piracy In answer to your desire of directions what to do with those persons suspected of piracy that may be found inhabiting within the Province of New Yorke under the favour of Colonel Fletcher's protections, we can only say that we observe by the tenor thereof that the protection promised is only the protection of the law, and therefore (for what ever reason those[1] may have been formerly connived at) we conceive no manner of true reason why they should not be prosecuted for what they can be proved guilty of, having done contrary to law. And as for all other persons that may be justly suspected to have heen guilty of piracy, but whereof you have not proof full enough to convict them, we can only offer the same rule, that whatever the law will allow to be done for the makeing them uneasy and troubleing of them, may be put in practice that so their wicked courses may by all meanes possible be discouraged and suppressed.

Trade to Madagascar. As for the directions which your Lordship desires concerning the trade to Madagascar, we herewith send you a late Act of Parliament for the settling of a New East India Company, by which we conceive all doubts of that kind will for the future be removed.

[1] "persons" Despatch in *New-York Colonial Manuscripts*, XLII. — Ed.

Proposal for a settlement at Madagascar.

We have not seen the proposal which your Lordship mentions to have been made by Mr Baldridge for a settlement upon that Island (Mr Weaver not having yet brought it us) and therefore we can say nothing to it. But we must acquaint your Lordship that by many informations relating to the resort of pirates to that place, and their trade with Plantation ships, particularly those of New York, who supply'd them with provisions and took off their plundered East India commodities, we have understood that the said Baldridge has been the Cheif Manager and transactor in carrying on that mischeivous trade; so that if your Lordship can find any direct proof that may reach him, we cannot but think he ought to be prosecuted and punished so far as the law will permitt. We have also been informed that in the Summer 1697 a remnant of pirates or their complices who were upon the Island of Sta Maria near Madagascar were cut off by the natives; and desire your Lordship to enquire and informe us of the truth thereof, either from Baldridge, Moston, or any others in that Province, who are but too well acquainted with the circumstances of that place.

Baldridge to be prosecuted.

It being highly important that all that are concerned either in piratical voyages, or in any manner of illegal trade, be by all meanes possible troubled and prosecuted for the same; and it hapning oft that when the main proof cannot be got some proof of other matters may be made use of for the discouragement of such like persons and practises; we have thought fit upon that account to send you the inclosed deposition of John Blacon relating to a Briganteen of New England called the Swift and the commander thereof Captain Knot's having traded with the French at Mascareen, that you may cause him to be prosecuted for that fault as the law directs; because perhaps his guilt in trading with pirates can not so easily be made out.

Captn Knot of New England traded with ye French at Muscareen in time of war.

Perking's deposn about trade to Curasso.

We send you also here inclosed the deposition of Humphrey Perkings of New Yorke, which we caused to be taken for the same reason. It relates to a voyage from New York to Curasso some years ago in a ketch whereof one Smart was master and Colonel Depeyster owner; that you may make what use you can of it, either in troubleing those concerned for what is past, or preventing the like (as much as possible) for the future.

Account of Perkings.

But upon occasion of this Perkings it is fit that we acquaint your Lordship a little particularly with his story. He was master of a vessell called the Frederick sloop, belonging to Mr Frederick Philips, and (since your Lordship's being there) was sent out under the conduct of Adolphus Philips to cruise for a vessell expected from Madagascar, which vessell they accordingly met, and having taken great quantitys of East India Goods out of her and put them on board this sloop, Adolphus returned in the Madagascar ship with nothing but Negroes to New York. In the mean while this sloop went and lay privately in Delaware Bay till Adolphus came againe from New Yorke to them, and then sent her away (under the conduct of one Jay a Frenchman) North about Scotland to Hamburgh. But at Hamburgh Sr Paul Ricaut his Majesties Resident getting notice of such a vessell with such a cargo, seized what he found and sent the man[1] hither, who have all of them made depositions about the circumstances of the whole voyage.

He is suspected of piracy.

And we have this further to add concerning the said Perkings that we observe by Mr Grahams memorial to your Lordship concerning Coates the pirate, that his name is set down as one of that crew, tho' when we charged him therewithall, he denyed it. But his denyal do's not make the thing less credible to us, nor do's it look well that Mr

[1] "Men." Despatch in *New-York Colonial Manuscripts*, XLII.—Ed.

Frederick Philips should imploy a man of such a character. Therefore we leave it to your Lordship to make use of this information also, upon any occasion as you find reasonable.

Additional Instructions sent him.

What your Lordship desired about your Lieutenant Governor's commission has (upon our representation) been done, and a new commission accordingly sent, together also with an additionall Instruction whereby you are expressly impowered to suspend him upon just occasion. And we have in like manner prepared and laid before the Lords Justices an additional instruction relating to your salary and perquisites during the time of your absence from New Yorke, which preserves both intirely to your Lordship whilst you are within any of his Majesties Colonies where your different commissions may require your presence; and which has also been agreed to by their Excellencys, and will be sent you by M^r^ Weaver either now or very shortly.

Pirates favoured in Rhode Isld.

We are very sensible of what your Lordship writes about the partiality and favour to pirates in Rhode Island. Therefore in order to the getting some solid ground whereupon to proceed to the redressing thereof, we have writ the enclosed letter to that government which we intreat your Lordship to send forwards. And at the same time we send you here withall a copy of it for your information and that you may use what means you think convenient to induce them to a complyance with what we require.

Letter to Connecticut inclosed.

We send also herewith a letter to the government of Connecticutt tho' of less consequence[1] of it, under your Lordship's cover.

But what we have of most importance to acquaint your Lordship withall, we can do at present but very briefly. It is, that upon an exact perusal of all your letters and papers we have drawn up and laid before the Lords Justices a large representation of the State of the Province of New Yorke,[2] with relation to Pirates, Illegal Trade, Grants of Land, Soldiers, Disorders in the Assembly, and some other things; with our opinion of what may be most necessary at present in order to the redress thereof. But we defer giving your Lordship the exact particulars of these things, untill we have received their Excellencys commands thereupon.

We are &^c^

(signed)
J. Bridgewater
Ph. Meadows.
J^no^ Pollexfen.
Abr. Hill.

Whitehall
October the 25, 1698

[1] only for the safer conveyance — follows in the Copy of the Despatch in *New-York Colonial Manuscripts*, XLII.
[2] See ante, p. 385. — Ed.

Additional Instruction to the Earl of Bellomont.

[New-York Entries, A. 504.]

By the Lords Justices.

[Tho: Cantuar. Somers. C. Dorsett. Marlborough. Romney.]

His Majestys additional instructions for the R^t^ Hon^ble^ Richard Earl of Bellomont His Majesty's Capt^n^ Gen^l^ and Gov^r^ in chief of his Province of New York and the Territories depending thereon in America at the Court at Whitehall, the [five and twentieth day] of October, in the tenth year of His Maj^ty's^ Reigne 1698.

Whereas His Maj^ty^ has been pleased by his several respective Commissions to constitute and appoint you to be his Capt^n^ Gen^l^ and Gov^r^ in chief of his provinces of the Massachusetts Bay, New York and New Hampshire in America, with power also to command the Militia and all His Maj^ty's^ forces by sea and land in the colonies of East and West New Jersey, Connecticut Rhode Island, Providence plantation, and the Naraganset Country or Kings Province; and whereas some doubt has risen upon the Article of His Maj^ty's^ Instructions to you for the Govern^t^ of His province of New York relating to that part of your Salary, perquisites and emoluments which is to be allowed unto the Lieu^t^ Gov^r^ of the said province of New Yorke, for the time being, during your absence from the territories of New England and New Yorke; His Majesty is graciously pleased to declare it to be his Royall Will and pleasure that during your residence in any of the forenamed provinces, Colonies or territories, where any of His Maj^tys^ forementioned Commissions may require your presence, no part of your said Salary perquisites or emoluments, shall be allowed unto the Lieut^t^ Gov^r^ of the Province of New Yorke for the time being, but that upon your absence, from all the said provinces, Colonies and territories, one full moiety of the salary and of all perquisites and emoluments, which would otherwise become due unto you, be (during the time of such your absence, from all the said provinces Colonies and Territories) paid and satisfied unto such Lieut^t^ Gov^r^ or Commander in chief who shall be resident on the place for the time being, and not otherwise.

[By their Excellencies Command

JA. VERNON.][1]

Earl of Bellomont to Mr. Popple.

[New-York Entries, B. 143.]

To M^r^ Popple.

Sir

Having writ so particularly to the Lords of the Councill of Trade, and you to read those letters of mine, the trouble you'll have in this will be the shorter. I send with this my proclamation for a Fast and Humiliation, thinking it a proper means to remove the heats and differences among the parties here. Last Wednesday was the day, and as a proof of the

[1] The words within [ ] in the above Document, are added from the Record in *N. Y. Council Minutes*, VIII. 110. — ED.

wickedness of the people who indeavour to give me disturbance in my government, few of them came to Church, and not one of the ringleaders, neither Bayard, Nicolls, Wilson, nor severall others that are not worth my naming to you.

This day another instance happen'd of the brutishnesse of some of the people here. The Master of the ship that carries this packett, was with me last Teusday and promised to call on me on Thursday for the King's packetts, but it seems intended to disappoint me and leave my letters behind and begon his voyage. I refer you for an account of this man's behaviour to the inclosed certificate and warrant, only this I must tell you, I sent yesterday the Commissioner of the Customes M^{r} Hungerford to pray him to come to me and receive the King's packetts, and he swore he would not for all the Governours in Christendome, and he would not be Post Boy to carry letters for any body; which refusall of his made me send a warrant to bring him by force. The angry merchants of this town had without doubt incouraged this man to be thus insolent, or he durst not have refused to carry the letters, after promising me faithfully he would call for and carry them. This is another specimen of the rage and malice of these people, who I am satisfied nothing but fear keeps from rebelling against the Government; unlawfull trade and Arabian gold brought in by Pirat ships from the Red Sea, are the things they thirst after. I should be glad the Lords of the Councill of Trade were acquainted with the two foregoing particulars, which are a demonstration of the wickednesse of our English Merchants here. I also think it proper to acquaint their Lordships by you, having not had room left to add it in my letter of the 21st instant, that M^{r} Brooks the late Collector carried over a Bill prepared [by] the last Assembly to reconcile parties here. Tho' it has a specious name, there is for all that a snake in the grass, which is this:—M^{r} Nicholls, whom I suspended from the Councill and who is of all others the most active inveterate enemy I have here, drew that Bill, and calculated it for his own advantage, for he has made the indemnity in the Bill to extend no further than to Colonel Fletcher's arrivall here at New York, and all the extravagant processes at Law, Decrees and Judgments were obtained during his government, and among the rest Nicholls obtained a judgment for five hundred pound against a very honest Dutchman here, upon pretence of false imprisonment in Leisler's government: the truth of the case is, Nicolls opposed the Revolution, and this Dutchman by order of the then Governour Leisler seized him, and for his contumacy he was put in prison, and 'tis well known Nicholls was not worth half £500. when that judgment was given. But this is not all; the factious merchants and people in this town to the number of twenty eight raised* a hundred pound by subscription and sent it home by Brooks, to bribe some officer about the Court and obtain the King's peremptory order to me to passe that reconciling Bill the next Assembly. I undertake to prove this as true matter of fact, and I will thus far discover how I come to know it. One of the late Councill whom I suspended being check'd by another member of the Councill for the part he supposed he had in framing a complaint against me into England, he denyed it with all the asseverations that could be, and told him he was never concern'd any otherwise against me than in being one of the 28 persons as aforesaid, and so told the gentleman that is still of the Councill this story as I have related it.

I desire you will acquaint their Lordships of this designe of Brooks, and that such a bill will not answer the end here, and that it would be a meer fallacy that would confirm and finish

* Memd'm. This sum, in other letters, is said to be 1000.£.

the ruine of severall families and releive none; and for that reason I hope their Lordships will oppose such an order being sent to me. I am with much esteem, Sir,

Your most humble Servant

BELLOMONT.

New York
Octob^{r} the 27th 1698.

Earl of Bellomont to the Lords of Trade.

[New-York Entries, B 174.]

To the Right Honourable the Lords Commissioners of the Councill of Trade.

My Lords.

I promised your Lordships in my letter of the 24th of last month p^{r} Captain Jeffers, a state of the revenue and accounts of this Province dureing Colonel Fletcher's government, but because to treat of those two heads and make such observations thereupon as are proper, would swell a letter to too great a bigness, I shall devide them into severall heads.

I begin with the yearly accounts of the Revenue beginning at Michaelmas 1692. which was the time he entred on the government, and which is (N° 1.) and your Lordships may observe that the greatest produce of any of those years was £3934 ^{s} 6$^{d}\frac{1}{2}$; and to prove to your Lordships that Colonel Fletcher and M^{r} Brook's were corrupt and did not doe their duty, I dare undertake to make the revenue arise to double the last mentioned summe, under the management of the present Commissioners or any honest gentleman, the Lords of the Treasury will put into that imployment. I also send the account of the Revenue each Michaelmas Quarter in every year of Colonel Fletcher's government, because I will calculate every way for your Lordships' information and that goes (N° 2) And likewise to compare with them I send the account of the Revenue the last Michaelmas Quarter under the collection of the present Commissioners (N° 3) I do suppose M^{r} Brooks will object that there was a Warr all the time that he was concern'd here and therefore not so briske a trade then as since, and consequently this last Michaelmas Quarter must produce a greater import and export in the Port of New Yorke then that quarter could reasonably produce in any one year of his collection. But that objection I will answer and confute by two undeniable arguments; one is, that I have been at the pains of examining the book of entries of ships for three years backwards in Brook's time which I thought enough for an experiment for 'twas very troublesome, and I have made a list shewing the dates when the ships come in, or went out, of their burthen, number of men, vessell's names, master's names, from whence or whether bound, and their cargoes or loading; which being a booke of some length and bulke, I only send the number of entries of ships inwards and outwards the three last Michaelmas quarters in Brook's time, and also the entries inwards and outwards this last Michaelmas Quarter under the present Commissioners (N° 4) by which your Lordships will perceive the entries inwards this last Quarter have been considerably lesse than in any of the three foregoing Michaelmas Quarters, and the Entries outward lesse in the same proportion, excepting the Michaelmas quarter of the year 1695. which happens to be the same in number; and yet this last quarter has produced two-fifths

more than the medium produce of that quarter in all the six years of Colonel Fletcher's government; as your Lord^{ps} will see at the foot of the foregoing account (N° 2.)

Another argument is this; the price of comodities for eight or nine months past compared with the price they bore all the warr time. When I went to Albany in July last, I was forced to pay 50£ per cent dearer for all the commodities I bought for presents to the Five Nations of Indians, then had been paid all the time of the late warr, as severall merchants assured me and the scarcity is now so great of all sorts of clothes especially of woollen, that there is a generall complaint among the people that they shall not be able to cloth their negros against winter, and are affraid they shall loose them by the cold weather.

I come next to speake particularly of the Excise of this Province, and to compare the produce of that part of the revenue in the years 1687 and 1697. which your Lordships will see (N° 5.) and herein I will manifestly shew the corruption of Brook the late Collector. In the first place the whole produce of the Excise was one hundred and twelve pounds more eleaven years ago than it has been this last year, notwithstanding 'tis computed there are four times the number of people now that were then, and ten publick houses now for one that was then. I have my information from persons very knowing in the Revenue, Coll. Cortlandt and M^{r} Graham the Attorney Generall who were Collectors here in the year 1687. The Excise of this Province 'tis believed would yield at least £2000 p^{r} ann: if honestly managed.

It plainly appears Brook's has not discharged his duty, for he has gon and farmed the Excise of the County of West Chester to Colonel Heathcote for seaven pounds this year, which yielded twenty pounds eleaven years ago, as is to be seen in the opposite list of the year 1687. 'Tis said there was a great friendship and intimacy between Heathcote and him, but I cannot beleive his friendship, for t'other outweighed the love of his own interest; therefore I conclude he went snips in so cheap a Bargain. He has also lett the Excise of the whole Island of Nassaw for seaventy two pounds this year to Samuell Burt and company, and by the word company is meant Ebenezer Willson the late factious Sheriff of this towne. Brooks boarded with Willson, and there was a great friendship between them. I am told Burt and Willson clear £500 p^{r} Ann. by their Bargain. A third instance of Brook's neglect or corruption is this:— that he deputed one Demeyer a man of an ill character to collect the excise in the County of Ulster five years ago, and Demeyer has never since accounted for it, so that there is the whole arrear of five years upon him at this time. But to enable your Lordships to make a pretty just estimate of the Excise, I send a list of the number of inhabitants in all the Province (N° 6.) which also is a part of my instructions from His Majesty and there is a worthy member of your Lordships' Board M^{r} Blathwayt who I doubt not has a returne by him from hence, of the number of inhabitants in or about the year 1687, whereof I find no care was taken then or at any time to record the same here, which ought to have been done in the Secretary's Office; and if M^{r} Blathwayt have such a returne by him, then comparing the number at that time with the list I now send, the difference will quickly be found, and a judgment will easily be made of the increase of people these last eleaven years. The Justices of the Peace have not been exact in following my orders, for in some places they have left out the number of children and of slaves. I send the list of the inhabitants in the County of Albany of last year, as the Mayor of Albany delivered it to me, and there your Lordships will see a considerable decrease of people since the warr occasioned by it being a frontier County, and the inhabitants some killed by the enemy and the rest discouraged by the want of care of them this last warr: the said list is (N° 7)

Another evidence of Colonel Fletchers and Mr Brook's neglect is, that they never took any care to collect the Quit Rents and make a rentall of them, so that 'tis beleived there's 13 or 1400.£ arrears of Quit Rent due; but to come at a certainty or make a book of them would be very difficult, there being severall years uncollected, but how many I cannot yet find. Colonel Cortlandt and the Attorney Generall guesse them to between two and 300.£ a year, and 'tis certain they ought to be £3000 a year, at the rate of half a crown for every hundred acres. And I hope your Lordships (as I formerly intimated) will take such measures as that the Crown may not be so couzened by Colonel Fletcher or any former Governours, if any of those former Governors shall be found to betray their trust, as he has done. A further instance of the corruption of Colonel Fletcher and Brooks is this: There came hether about Midsummer 1693 a great Dutch flyboat called the King David of 350 tonns from Amsterdam by the way of Curaçao and Suranam and upon pretence of leave to victuall her crew and take in wood and water, she staid here at this towne from the time aforesaid till the middle of November following. She brought in good store of Holland and other linnen cloth, which was not in bailes, but loose in the hold of the ship, as the merchant has own'd to me, that was concerned with that ship. I can prove if there be occasion that severall parcells of the linnen were sold in this town; the master of the ship was connived at by the Governor and Collector in buying up such a great quantity of provisions that the whole town and country were very clamorous, and as I am told petitioned Colonel Fletcher to dismisse that ship, provisions grew so scarce and dear, so that the poore began to be pinched; butter rose to be at 1s 6d pr pound and beef porke and flower proportionably dear; at length when the ship had bought up all the provisions the Governour durst let her buy, away she goes to Suranam, and a brigantine belonging to this town goes with her, and within Sandyhook unlades into her a 1000£ worth of butter flower beefe and porke. This is owned to me by the merchant whose brigantine it was, and if it be required it will be proved upon oath. This was no secret, all this town knew on't, and 'twas the generall report that the brigantine was to be seized, but it never was soe, the acts of Trade being no otherwise put in execution then in the voice of the people. Colonel Fletcher and severall of his Councill (whereof Coll. Bayard Coll. Minevielle and Mr Brooks were three) were feasted on board that Dutch ship. I sent your Lordships two minutes of Councell concerning that ship as part of the evidence against Colonel Bayard, in the reasons I sent your Lordships for my suspension of him, and that by Captain Jeffers; my said reasons being referred to in my letter of the 21st of October. However I think it proper to send the said minutes again and they goe (No 8) 'Tis said there was a constant trade between this place and Curassao and Scotland during all the last government, but I do not trouble myself to inquire into it, because I have given your Lordships instances enough of the male administration of the late Governour and of the misbehaviour of Brooks the Collector. I am, with much respect, My Lords

Your Lordships most humble
and obedient servant
BELLOMONT.

New Yorke Novr ye 7th 1698.

Number of Inhabitants in the several Counties of New-York.

[New-York Papers, E. F. G., E. 32.]

An Account of the Number of Inhabitants in y^e^ Severall Counties of y^e^ Province of New Yorke taken by the High Sheriffes and Justices of the Peace in each respective County; as p^r^ order of his Excêll. the Earl of Bellomont Govern^r^ &^c^. Anno 1698.

	Men.	Women.	Children.	Negro's.
In ye County and Citty of Albany	380	270	803	23
In ye County of Ulster & Dutchesse County	248	111	869	156
In the County of Orange	29	31	140	19
In the Citty & County of New York	1019	1057	2161	700
In Richmond County âls Staten Island	328	208	118	73
In ye County of West Chester	316	294	307	146
In Suffolk County within Nassau Island	973	1024	124	558
In King's County within Nassau Island	308	332	1081	296
In Queen's County within Nassau Island	1465	1350	551	199
	5066	4677	6154	2170

A true Copy

(signed) BELLOMONT.

Number of Inhabitants in Albany, 1689.

[New-York Papers, E. F. G.—E 33.]

In pursuance of the Order from his Excêll. Col. Benj. Fletcher, Capt. Gen^ll^ & Govern^r^ in Cheif dated the 3^rd^ day of May 1697. to make a perfect reckoning of the Inhabitants of the City and County of Albany and how many families and particular persons in the said Citty & County are departed from the beginning of y^e^ Warr, how many persons killed and carried away & of what number y^e^ Five Nations and River Indians then were, and how much they since are lessened, so that wee find that the Inhabitants of the Citty and County of Albany in the yeare 1689 did consist:—

men.	weomen.	children	and now,	men	weomen	children.
662.	340.	1014.		382.	272.	805.

The Five Nations and River Indians, viz^t^

The Mohoggs	270.	& now	110.
The Onneydes	180	& now	70.
The Onnondages	500	& now	250.
The Cajouges	300.	& now	200.
The Sinnickes	1300.	& now	600.
The River Indians	250.	& now	90.
In the beginning of y^e^ warr	2800	Indians & now	1320

The Christians departed from the Citty and County of Albany since the beginning of y^e^ Warr.

	Men.	Women	Children.
Departed	142	68	209.
Taken prisoners	16	"	"
Killed by y^e^ enemy	84	"	"
Dyed	38	"	"
	280	68	209

A true Copy

(signed) BELLOMONT.

Earl of Bellomont to the Lords of Trade.

[New-York Entries, B. 184.]

To the Right Honourable the Lords Commissioners for Trade and Plantations.

My Lords

Having given your Lordships a view of the present state of the Revenue of this Province in my letter of the 7^th^ of this Instant, I proceed to that of the Accounts.

The Generall Account is (N° 1) and there goes with it an abstract which is a short compendium of t'other, and is (N° 2) If there should happen to be any errors in these, the accounts formerly sent home and the minutes and orders of Councill will rectifie them.

Because Colonel Fletcher pretended to have applyed the 30^£^ p^r^ Cent, which was stopped out of the pay of the four Companies here, to the building and repaires of the Fortifications, I send your Lordships the King's Establishment directing how the 30^£^ p^r^ Cent. should be applyed (N° 3) and the account of the severall payments of the said 30^£^ p^r^ Cent, as it was delivered in by his servant Daniel Honan (N° 4) with the Account currant thereof (N° 5) my observations thereupon (N° 6) and my order to Colonel Cortlandt and Colonel Bayard at my first arrivall to take a survey of the buildings and fortifications in and about this his Majesty's fort, with their report upon my said order both in the same paper, and (N° 7) by which Report of theirs your Lordships will see that the Governour's house and the fortifications were much out of repair at the time Colonel Fletcher was superseded.

There goes also an account of victualling Colonel Fletcher's company of fuzileers which is an extract taken out of Colonel Cortlandt victualling rolls of the number of men by him victualled in Colonel Fletcher's company and is (N° 8) by which account Colonel Fletcher will be found to have pocketted £1496 6^s^ 1^d^. by defective men. These victualling rolls we reckon as true and exact as records, the officer taking care the victualler shall not cheat him, and 'tis not to be supposed the victualler will cheat himself.

I must observe to your Lordship that Daniel Honan was appointed Accountant Generall of this Province by Colonel Fletcher, which was a new and superfluous officer and 'twas then, I am told, the common opinion of the people that the creation of that office carried no fair meaning with it. 'Tis true Colonel Fletcher had the consent of the Councill for it, soe he had

for 130. £. to reimburse him the charges of his voyage from England (notwithstanding his Majesty's Allowance of six hundred pounds on that account in England) and for issueing severall considerable summs of money to the same Daniell Honan beforehand, that is, before there were any uses or payments assigned. To that imployment of Accountant there was a salary annexed of 50£ p^{r} Ann^{m} and in Colonel Fletcher's account of the 30 p^{r} Cent there is another charge of 50£ p^{r} Annum sallary to the same Honan; but I suppose this last sallary was paid him in his quality of Secretary at Warr, for he was in that capacity too, and so stiled by Côll. Fletcher, countersigning as such the commissions and orders that related to the four Companies and the militia of this Province;—which I take to be (besides the vanity of it in imitating Majesty) as superfluous an office as that of Accountant Generall. Some of Colonel Fletcher's friends in the Councell pressed me to make an Accountant Generall, but knowing it to be a useless office, and besides beleiving their persuasion to be a snare to draw me into the doing a thing that would justifie Colonel Fletcher's creating such an officer, I absolutely refused.

But to returne to Daniell Honan, I formerly acquainted your Lordships how profligate a man he is having forsworn himselfe point blank in my own hearing There has been the strangest management in the buildings within this Fort that ever was known, the addition to the Governour's house which is very little, the chappell, and the barracks for the soldiers cost before Colonel Fletchers being superseded £3701 17^{s} 5^{d}, as appears by a particular account made up by Colonel Cortlandt of all materialls and money paid to workmen, which I send by this conveyance to M^{r} Weaver the Agent not thinking it needfull to trouble your Lordships with an account of that length, having directed him to wait on your Lordships with it. I must not omitt to tell your Lordships that I am beholden to Colonel Cortlandt for this particular account of the buildings who has taken it out of those accounts, otherwise this had been a mystery of iniquity that I could never have come to the knowledge of, for Colonel Fletcher and his man Honan left no books of accounts so as to make other people judges, whether the publick money were justly laid out or no. I find in the generall account of the buildings which I now send home to the Agent, a prodigious quantity of lime and bricks, enough (as one would think) to build a little town, and I am told there is a great deale of fraud used in the multiplying those materialls, and some I have detected myself; for instance, I find the bricks are charged all along at 30^{s} per thousand, and they were and are still bought at 25^{s} p^{r} thousand, which is the current price. Another thing is, I dare undertake to build in London the same quantity of building for lesse then six hundred pounds at most, soe far as Colonel Fletcher left it built. 'Tis true by what inquiry I made, building is dearer here one third part then 'tis there. Upon a strict audit of these accounts and a survey of the buildings, I doubt not but Colonel Fletcher will be found to be indebted to the King a great many thousand pounds: I am apt to beleive his debt will more than build the two forts at Albany and Schenectady, but I will not pretend to say what the debt is, till your Lordships order an exact auditt of the accounts

There is besides what I have already mentioned as chargeable on Colonel Fletcher another article, which is the money taken by him for the Kings lands (that he passed away in grant) which he had no sort of power to sell by his Majesty's commission or instructions. I cannot make a just computation of the money he made by the sale of lands more than this:—that I have found out what he made of two or three grants, & by the rule of proportion he can not have received lesse than four thousand pounds, and some people believe a great deal more; the

number of grants made by him I formerly sent your Lordships, both those that derived originally from him, and also those that are grants of confirmation

There goes also with this a certificate (N° 9) under the hands of Colonel Cortlandt and M^r^ Livingston of a perquisite of ten shillings challenged by Colonel Fletcher for every soldier and paid him by them, when they were joyntly concerned in victualling his company, the said perquisite amounting in the whole to £219 3 11½ which is a further charge upon Colonel Fletcher, and which he can no way justifie; for Colonel Slaughter's having invented and injoyed that unjust perquisite was no sanction thereof, and an honest man would have scorned and abominated such a president. It was no wonder the poor soldiers deserted when the victualler was tied up to so narrow an allowance, that he was not able to allow them provisions that were fitt for any thing but doggs to eat, Collonel Cortlandt says he was forced to refuse to pay that perquisite to him afterwards, provisions grew so dear. I have not yet inquired of the victuallers at Albany whether they paid him that perquisite or no; but I will doe it and will send your Lordships word what account they give me.

Colonel Fletcher is also accountable to the King for an escheat of five hundred pounds which the Attorney Generall tells me he received on office found of one Crocheron a Frenchman's being Felo-de-se, who was an inhabitant of Richmond County.

The Ballance of £4053 4 0¼ which is at the foot of the short account (N° 2) as aforesaid is charged upon Colonel Fletcher and Brooks the late Collector, taking all the accounts we could find, or that they left for fair and just accounts; but there are other charges to be brought against Colonel Fletcher part whereof are at the foot of the long account mentioned in the beginning of this letter and (N° 1) which are home charges upon him, till such time as he fairly discharges himself of the same.

I have taken a great deale of pains in these enquiries about the revenue and accounts because 'tis one of his Majesty's instructions to me; but otherwise I take noe delight in exposing Colonel Fletcher, tho' he made it his businesse to make this government uneasy to me, to cover as I suppose his own male administration. If your Lordships think fitt to send me orders to make a stricter scrutiny into the accounts and to have the buildings rated by Master workmen, upon oath, I shall to that and all other your orders pay a ready observance, as being with much respect.

My Lords

Your Lordships most humble
and most faithfull servant
BELLOMONT.

New Yorke Nov^r^ the 8^th^ 1698.

P. S. There goe four papers which have reference to some articles that are at the foot of both accounts and should have been mentioned in the beginning of this letter, each of them is (N° 1) and they are bound up with the Genarall Account which is also (N° 1) I send to M^r^ Weaver the Agent a copy of all the orders of Councell for payments of money during Colonel Fletchers whole government, which I have desired him to wait on your Lordships with, and therein will be found severall misapplications of money.

Instructions from the Lords Justices to the Earl of Bellomont.

[New-York Entries, B. 48.]

By the Lords Justices.

WHEREAS the Commissioners appointed by His Majesty for promoting the Trade of this Kingdome and for inspecting and improving his Plantations in America and else where, have laid before us a Representation of the State of the Province of New Yorke, upon such memorialls and proofs as you have transmitted to them: We haveing taken the same into our serious consideration, have thought fit hereby to let you know that we are extreamly sensible of your great zeale and diligence in inquiring into and reforming the many disorders and irregular practices that you have found in the said Province, and commend you for it.

Commended for his diligence.

And whereas amongst other things We observe that you have suspended W^m^ Nicoll, Chidley Brooke and William Pinhorne from their respective places as well in his Majesty's Councill of the said Province as otherwise, and are satisfied with the reasons offered unto us for your doing so; We not only approve thereof but hereby further direct and appoint that the said William Nicoll, Chidly Brooke and William Pinhorn be wholly removed from all their said respective places, except only such as any of them hold immediately in their own right by Patent under the Great Seal of England; in which also we approve of and confirme the suspension you have made, untill his Majesty's further pleasure therein be known.

Counsellors removed.

And being also informed of the ill conduct of Coll Nicholas Bayard one of his Majesty's Councill there, in procuring protection from Colonel Fletcher for persons strongly suspected to be guilty of piracy, as likewise of the undue practices of Frederick Philips another of His Majesty's said Council, in the carrying on and managing a great illegal trade, contrary to the duty of their places and the trust reposed in them; We do hereby direct and appoint that the said Nicholas Bayard and Frederick Philips be in like manner removed from their respective places in his Majesty's Council, and (under the forementioned exception) from all other places of publick trust within the said Province.

Bayard & Philips removed.

And for the filling up of the vacancies which will be in his Majesty's said Council by the removal of the five forementioned persons from their places in the same; We do hereby direct and appoint that Colonel Abraham Depeyster, James Graham Esq^r^ D^r^ Samuel Staats Physitian, Robert Levingston Esq^r^ and D^r^ John Corbile Physitian be constituted admitted and sworne of His Majesty's Council of the said Province, in their stead.

Others appointed in their stead.

And whereas it is highly necessary for His Majesty's service that all persons guilty of piracy be severely punished and that all manner of illegal trade be as much as possible discouraged & prevented; and we observe by the forementioned Representation of the state of that Province that there have been and are, several persons residing in the same under the shelter of protections granted by Colonel Fletcher, which neither can nor ought to be of any avail for such things as the said persons may be found guilty of having committed, contrary to law; We do therefore hereby direct and require you to use all possible dilligence in finding out all such persons and prosecuting them with the utmost severity according to law; and likewise to use the same care and diligence in preventing

Pirates to be punished: and Illegal trade discouraged.

the practices of illegal Traders and punishing all persons that you find guilty thereof, as the law directs.

Grants of Land. And whereas we have also been informed by the forementioned [representation of the] State of that Province, that many exorbitant grants of vast tracts of land have been made of late years (and particularly some in the Mohacques Country) without any reservation of competent Quit Rents to his Majesty, or any obligation upon the respective grantees to cultivate and improve the same, as reason requires; by means whereof the frontiers of that Province are in danger of being weakened by the desertion of the Mahaques & other neighbouring Indians and the improvement and peopling of the whole Province must of necessity be in great measure obstructed, together with many other inconveniencies evidently attending the same: We do hereby direct and require you to put in practise all methods whatsoever allowed by law, for the breaking and annulling of the said exhorbitant irregular and unconditioned grants; and in case of any difficulty therein, that you represent unto His Majesty by one of His Principal Secretaries of State, and to His Majesty's forementioned Commissioners for Trade & Plantations, what ever you judge may be further conducive to the effecting of so necessary a work. And further for the prevention of all such like inconveniences hereafter, We also hereby direct and order that for the future you pass no grants of land within His Majestys said Province of New York unto any person whatsoever under a less reservation of Quit Rent than 2^{s} 6^{d} for every hundred acres; nor without an obligation upon the Grantees to plant settle and effectually cultivate the same, within the space of three years at the furthest, under the penalty of forfeiture.

10th of Nov^{r} 1698.

Earl of Bellomont to the Lords of Trade.

[New-York Entries, B. 193.]

To the Right Honourable the Lords Commissioners for Trade and Plantations.

My Lords.

I resolved to observe the rule I prescribed to myself in keeping strictly to the Revenue and Accounts in my letters of the 7th and 8th inst; and now I am to acquaint your Lordships with such information as has come to my knowledg of Colonel Fletchers neglect of the Frontiers, M^{r} Graham the Attorny Generall who is the most knowing in all affairs here has delivered in a memoriall concerning that matter which goes (N^{o} 1) and the five papers bound up together and (N^{o} 2) will satisfye your Lordships how little care Colonel Fletcher tooke of Albany and Schenectady, the only frontier places, since he abandoned the Half Moon and Quanestigoane. There goes also a certificate of two of the Lieutenants (N^{o} 3) which will shew how little Colonel Fletcher valued his engagement to the Assembly of making up the garrison at Albany three hundred effective men, for which they had given him money in the year 1696. at the desire of the people of Albany who feared to be invaded that Winter by the French, earnestly solicited his presence with them, expecting the number of men he had promised the Assembly for secureing the frontiers, but instead of one hundred and fifty which were wanting in the three Companies, he carried up with him but eighteen men, and those were of his own Company, from New Yorke; there came to him twenty five men from Connecticutt Colony as their quota.

But what is a convinceing argument that Colonel Fletcher had no designe of keeping full companies, was his rejecting the Bill for preventing desertion of the soldiers; the Originall I have by me, a copy whereof I send your Lordships, which is (N° 4) and that he really rejected it there goes a further proof in the Journall of the House of Representatives &c pag. 19th which is marked with a line down the margin, where the Speaker reports to the House that his Excellency Colonel Fletcher had rejected that bill, the said Journall is (N° 5)[1] I beleive your Lordships will be of my opinion upon reading the Bill that it had effectually answered the end of preventing the desertion of the soldiers, but it seems by the amendments which are annexed to the Bill and by what Mr Attorney tells me, who drew it, that Colonel Fletcher soe clogged the Bill as if he resolved it should not pass, for he insisted upon subjecting the Militia to martiall law. I confesse his conduct with relation to the Frontiers is astonishing, and it seems to me he meditated nothing but the enriching himself; and the Kings honour and interest and the security of this province were the least point of his care. I will not know trouble your Lordships with severall circumstances of proof that I could produce of Colonel Fletchers neglect of the frontiers, only these two things I must observe. In the first place the printed accounts of his great exploits against the French which he published and sent into England I cannot possibly get one of them for love nor money, and I am told he made it his businesse to get up all the printed copies, which is an argument with me of his consciousnesse that he had imposed a romance instead of a true narrative, and I undertake to prove the French never attacked our frontier towns during his government. They did indeed invade some of our Indians that lay next to Cadaracque, which is very remote, but he failed the Indians in point of succour, which they threw in his dish in their conferences with me, which I sent your Lordships by the Fowey frigat.

The second thing is (which I shall remark to your Lordships) some of the subscribers of the flattering addresse from the people at Albany (a copy whereof I formerly sent your Lordships) wherein they applaud his great care and inimitable conduct in preserving the frontiers from the enemy, owned to me in plain termes when I was at Albany, that they were heartily ashamed of setting their hands to so lying an Address which they said they were prevailed with to doe, partly by the importunity of Mr Dellius the Dutch Minister and the dread the said Minister had instilled into them how Colonel Fletcher would revenge it upon them if they refused to pay him that complement.

I send your Lordships a letter from Mr Addington[2] Secretary at Boston of the 24th of last month written by order of the Lieutenant Governour and Council (N° 6) together with a copy of Monsieur de Villebon Governor of Accadie's letter to the Lieutenant Governor sent me at the same time, and of their translating (N° 7) I shall nott inlarge on that subject because Mr Addington writes me word there is a representation thereof sent home to your Lordships: only this, that I cannot but think it strange that the French men of warr disturb our fishery on those coasts at the same time when our Men of Warr are called home from guarding us, and I cannot but be troubled at the insults of the French in our own seas. But I hope your Lordships wisdom will apply a speedy remedy to so great a mischeif.

There goes also with this a copy of a charter granted by Colonel Fletcher to the Dutch

[1] The entry will be found in the printed *Journals of the General Assembly of New-York*, I. 58. — Ed.

[2] Isaac Addington was one of the signers to the Boston Address of 1689, requiring Sir E. Andros to abdicate, and became Clerk of the Council of Safety, which succeeded to the administration of the government. He was appointed, shortly after, Secretary of the Massachusetts Colony; which post he filled for more than 20 years. He died March 19, 1715, aged 70 years. — Hutchinson.

Church here, which I think very extraordinary, for it is setting up a petty jurisdiction to fly in the face of the government, as I have found in my own experience; for being told that Colonel Fletcher had a bribe for passing this charter, I sent to the Church-Masters (so called by the Dutch) which I suppose are equivalent to our Church Wardens, for a sight of their Church Book, wherein I was told I should find an entry made of the said bribe. The Church-Masters told me they could not consent to my seeing the book till they had spoke to the minister Mr Selynus; then I sent them to Mr Selynus to desire he would let me have a sight of it; to which he returned answer he could not do it, till he had called a Consistory. This behaviour of theirs I confesse provoked me, and I did resolve to have a sight of the booke, tho' I should send a Constable with my warrant to bring it by force; but I thought it best to try fair means, and I sent to speak with Mr Selynus, and by speaking him fair, I did prevail to see the Church Book, out of which I have copied the entry of the said present; the Charter goes (N° 8) and the extract out of the Church Book is (N° 9) This is much such an institution as Colonel Fletcher made yonder at West Chester; that citty consists of about twenty houses, the have greater priviledges than any town in America, as the choosing of their own Mayor, and the power of life and death, and the like; and the major part of the inhabitants are felons upon record. A copy of this Charter Mr Weaver the Agent took home with him to shew your Lordships.

There were three seizures of East India goods made in severall houses last week by Mr Hungerford one of the Commissioners of the Customes here; copies whereof are sent herewith (N° 10.)

I send a list of packets (N° 11.) which went last to your Lordships and the rest of the ministers, by one Capt: Thomas Jeffers, Master of the New York merchant; those to your Lordships were dated the 21st and 24th of last month. I have some jealousy of the master, being a very stubborn insolent man, who tho' he had promised to call for my packetts, refused afterwards to receive them and would have gon without them, had I not sent my warrant for him and forced him to take the packetts with him; so much had the merchants here, and Colonel Bayard that's gone in that ship to England, leavened the said Master.

Now that I speak of Colonel Bayard, I must acquaint your Lordships that his answer to my reasons for suspending him were sent me the ninth of this month, which was ten or twelve days after his departure for England, and so long also after my sending my said reasons to your Lordships; so that he had transgressed the King's commands after the precaution I had given him with my own mouth, that it was his Majesty's commands I should transmitt home my reasons for suspending a member of the Councill at any time, and the answer of such member thereunto at the same time. His answer to my severall reasons are weake and frivolous, but Your Lordships are the proper judges of their validity, therefore as to that part I submit them. I have not now time to descant on them so particularly as I intend to doe by the next opportunity, only I must take notice of the reflexion he makes on the integrity of Dr Staats and Alderman Lewis in the third article, about piracy. I can assure your Lordships they have as good a character as any two men in New Yorke, excepting none, and are very substantiall men as to estates, and therefore the lesse likely to be under any temptation of forswearing themselves. Bayard indeed is said to have obteined an estate by fraud and indirect wayes, and, were it worth while, I could prove what I say.

I have answered one reflexion of Bayards upon two honest men of this town, in the third article of his answer; and now to clear one reflexion he makes on myself, that I came prepossessed into this government and resolved to displace him and others from the Council.

I doe solemnly protest this imputation is absolutely false, for I doe not remember that ever I saw or heard of the name of Bayard and the rest of the Councill but in his Majesty's instructions. I might perhaps have heard in London a generall account of Colonel Fletcher making it a constant practice to correspond with pirates & break the Acts of Trade, and that he had a corrupt Councill that joyned with him in all his male administration, and so far was I from suspending even Colonel Bayard, whom I knew was my most inveterate and industrious enemy, that Colonel Cortlandt, who is one of his nearest relations by marriage and M^r^ Attorney Generall will bear me witnesse that I imployed them both to goe and discourse Colonel Bayard and bring him to temper, and by them I sent him word that I knew he had been a most violent enemy and persecutor of M^r^ Leisler and his friends, and therefore might probably have some fear upon him if he saw any of Leisler's friends put into imployment in the government, but that if he would joyne with me in such measures as I found I should be obliged to take for his Majesty's service, I would undertake that there should not one hair of his head be touched, and I would reconcile those people to him; but notwithstanding all the arguments those two gentlemen could use, he refused, with all the obstinacy in the world, to comply with my message to him. This was but three or four days before my suspension of him and the rest, and now I appeale to your Lordships which, Colonel Bayard or I, have acted most by a principle of charity or moderation, tho' in the eighth article of his answer he would make himself a Saint, and pretends to such a forgiving temper, that he had sacrificed all his losses by M^r^ Leisler and his soldiers at the time of the Revolution, to the publick.

I shall by the next oppertunity send your Lordships a certificate of this under the hands of Colonel Cortlandt and the Attorny Generall, but the Attorny Generall is now out of town.

But to let your Lordships see how perverse a man this Bayard is, and void of principle, he and M^r^ Nicolls whom I formerly suspended from the Councill have made it their business before and since I dissolved the Assembly, to prejudice the whole country where ever they had an influence, against continuing the revenue to his Majesty, and yet (to prove what I said before) that they were men of no principle, these very two men, Bayard and Nicolls, managed a conference with the Assembly in Colonel Fletcher's time for the settling of the present revenue, and stickled very much to gett the Assembly to settle it for his Majesty's life, but the Assembly would settle it for no longer than five years. The said answer of Bayard's is (N° 12.)

I formerly acquainted your Lordships in my letter of the 14^th^ September, that William Simpson a soldier had killed an Indian Sachem and wounded one or two more at Albany and was tried and lay under sentence of death, and then I was of opinion he ought to suffer accordingly notwithstanding the intercession of the Indians for his pardon when I mett them at Albany, and I desired your Lordships would direct me what course to take with him; but now I must make an humble request that the man may be pardoned, least I should be brought into a præmunire myself—The matter is this. The King's commission restrains me from erecting Courts of Judicature in criminal cases without consent of his Majesty's Councill; now I can be deposed that to the best of my knowledge and remembrance I did acquaint the Councell with the notice sent me of the murder of that Indian, and Colonel Cortlandt and the Attorny Generall both say they are confident I did so, and a commission of Oyer and Terminer was sent up to Albany to try that soldier that murdered the Indian: but it seems M^r^ Jamison the late Clerke of the Councill, who lay upon the watch to betray me has omitted to minute my taking the concurrence of the Councill in the said Commission, and I am told 'tis intended to be made the ground of a hainous complaint against me. But however false the thing be in

itself Jamison is capable of swearing any thing. I have had several cautions given me of that man both in England and since my coming hither, but I was so secure in my own innocence that I had no fears about me of him or any body else, and Mr Clement disappointing me, I had nobody about me that was fit to put into that place, and here all people were strangers to me, so that I suffered Jamison to continue, as best understanding the business, and not because Colonel Fletcher commended him to me for the honestest man in the world, tho' he knew he was condemned to be hanged in Scotland for burning the Bible and for Blasphemy, and in mitigation of the sentence obtained the favour of being transported to this country, where he was sold a servant, and Colonel Fletcher knew too, very well that Jamisson had then actually two wives when he commended him soe to me, one at Lithgo in Scotland and t'other in this town;—I am with respect, My Lords

Your Lordships most humble
and obedient servant
BELLOMONT

New Yorke
Novemb: the 12th 1698

Novembr the 14th 1698.

P. S. I send your Lordships the copy of an addresse brought to me this last week. I have not had time to tell the number of names, but upon the view they seem to be about fifteen hundred; the persons that brought it to me and all the subscribers are of that sort people that Colonel Fletcher discountenanced, and I appeale to Your Lordships whether there could be any justice or prudence in disobliging such a number of people; they are all inhabitants in this and three of the most contiguous Counties; The designe was to make it generall all over the Province and to present it to me on the King's birth day, but the subscriptions in the remote Counties could not be had within that time, otherwise they told me there would have been as many more hands.

Lieutenant Hunt the Gentleman that carries this packet is also charged with a generall mapp of this province for your Lordships.

State of the Frontiers of New-York during Governor Fletcher's Administration.

[New-York Papers, E. F. G., E 51.]

Memorial to His Excêll. the Earl of Bellomont Governr & Capt Genll of his Mâtys. Province of New Yorke &c.

May it please yor Excêll:

In obedience to yor Excells commands I have made yor Excêll. the most diligent inquiry into the state of the frontieers of this province dureing the time of Col. Fletcher's administracôn and do find when Côl. Fletcher arrived in this governmt in Augt 1692. the Assembly then sitting did raise 220 men for ye Secureing of ye frontieers at Albany untill the first of May 1693 and also raised 80 men in ye County of Ulster to continue therein ye time of greatest danger which was conceived to be from the 15th of December next to ye first of March then next following.

In the month of Sept^{r} Coll. Fletcher went to visit the frontieers and on his return sayd 100 men were sufficient for y^{e} said garrison against all y^{e} strength of France, yet the country was of opinion that y^{e} 300 men raised for that service were barely sufficient, because before Col. Fletchers arrival they thought it of great import to have out garrisons at y^{e} Halfe Moone and Quenestigone for y^{e} secureing of y^{e} out settlements to y^{e} better furnishing y^{e} garrison with provisions.

In y^{e} month of January in y^{e} said year the French invaded the Maquez land; upon the notice thereof Col. Fletcher went Albany with some detachments of men and arrived there in Feb^{y} and marcht to Schenectady, when he had intelligence y^{e} French had retreated after a skirmish they had with y^{e} forces sent by Col. Ingoldesby; at w^{ch} time y^{e} garrisons of y^{e} Halfe Moone were withdrawne & never resetled. Col. Fletcher returned & notwithstanding y^{e} said invasion left no orders with y^{e} Cômander at Albany, nor took no care to secure y^{e} inhabitants in y^{e} out settlements by y^{e} returneing of y^{e} said garrisons, but suffered them to be exposed to y^{e} fury of y^{e} enemy, who for want of y^{e} said garrisons were carried captive to y^{e} French, many of them killed and scalped, & that y^{e} out settlements laid waste and desolate & y^{e} garrison at Albany reduced to great extremity for want of fresh provisions with w^{ch} they were plentifully supplyed when those out garrisons were kept.

The Assembly did raise 300 men for y^{e} frontieers to continue there from y^{e} first of May 1693 to y^{e} first day of May 1694. yet there was no resettleing y^{e} Halfe Moone nor Quenestigeane, nor care taken nor orders left with y^{e} comander for y^{e} sending of scouts to range the woods for watching y^{e} motion of y^{e} enemy nor was there any care taken by Col. Fletcher to performe his solemn promise to y^{e} Indians of giveing them assistance to demolish Cadaraque & prevent its resettlem^{t}; by which neglect y^{e} Indians were disgusted, y^{e} frontieers deserted, many of y^{e} people haveing been killed & carried captive for want of due care. The Assembly men did raise 170 men for y^{e} secureing y^{e} frontieers from the first of May 1694 to y^{e} first of May 1695. at which time his Mâtyes forces arrived. The Assembly did also raise bounty money for their incouragem^{t} & upon complaint that some of y^{e} soldiers had deserted, did passe an Act for y^{e} punishing deserters & such as should entertaine them, which was rejected by Col. Fletcher. Y^{e} assembly for encourageing of y^{e} said forces raised four pence p^{r} diem as an augmentation of their pay; neverthelesse y^{e} Companyes were never full, nor were there any scouts sent out to range y^{e} woods, by which neglect our people were daily cut off and carryed captive. And notwithstanding y^{e} yearely damages did befall y^{e} inhabitantes in y^{e} said frontieers, yett y^{e} said Coll. Fletcher was so negligent that he never sent out any scout, nor left orders for y^{e} doeing thereof, that at last y^{e} Assembly, w^{ch} did not professe to be soldiers did raise mony & appointed Com^{rs} to send out scouts to watch y^{e} motion of y^{e} enemy, by w^{ch} meanes the enemy, w^{ch} was designed to cut off Kinderhook were discovered & all cut off, and this was in y^{e} yeare 1696. In y^{e} yeare 1697. the Assembly tooke the like care by w^{ch} there was no mischeife done by y^{e} enemy as formerly altho' y^{e} garrison was weaker than ever, but Coll. Fletcher not haveing raised one man altho' large sums raised by the Assembly for that purpose, [were] perverted by him.

And altho' Col. Fletcher doth very much value himself upon y^{e} secureing of y^{e} frontieers & that he had not lost one foot of ground to y^{e} enemy; yet it is manifest that on his arrival those out garrisons secured the out settlements, that they plowed their grounds & gathered their harvest, had not their people scalped & y^{e} garrison & people of Albany had plenty of fresh provisions.

When those garrisons were deserted all those calamityes followed, & tho' there was not one foot of ground carryed away, yet there were many familyes destroyed & their plantacôns laid desolate, to y^e^ damage of at least £.4000. p^r^ ann: ; w^ch^ is most humbly submitted by, May it please yo^r^ Excêl.

Yo^r^ Excêl. most obedient
& most humble serv^t^
Ja: Graham.

A true Copy
(Signed) Bellomont.

Account of Stores at Schenectady, in July, 1696.

[New-York Papers, E. F. G., E 52.]

An acco^t^ of what stores of warr was in the frontieer garrison at Schonectady when comanded by Lieu^t^ Daniel Hunt in June, July, Aug^t^ 1696. being the time when Count Frontenack the French Governor of Canada destroyed the habitacôns and Castles of y^e^ Onondagoes and Oneides, viz^t^.

8 Peices of Ordinance
4 Pattararoes, whereof one unserviceable
28 Shott 1 lb. weight each.
6 Shott 4 lb. weight each.
1 barrel of Cannon powder
Part of a barrel of small powder, not good.
1 Runlet ¾ of musquet ball.
Part of a Schaine of Match.
10 Linstocks— 2 Priming horns.
9 Sheets of Cartharidge paper, 8 flints.
32 Cartharidges for y^e^ ordinance
11 baggs of musquett ball, viz^t^ partedges.
1 Ax. 1 Flagg. 1 p^r^ of Shackles. 2 Buckets.
4 Iron potts. 4 Canns.

The forces in y^e^ garrison was one Lieu^t^ one Serj^t^ one Drum & Thirty of his Mâtys Soldiers, & no more

Witness
Daniel Hunt

When Col. Benj. Fletcher came up to defend Albany & y^e^ frontieers in Novemb^r^ 1696. he brought up no more then eighteen soldiers besides domesticks; which is very well knowne,
by Daniel Hunt.

In July 1696 and in y^e^ beginning of April 96, I was cômander on y^e^ frontieers at Schonactedy when y^e^ French Indians destroyed Onondage & Oneide, when all y^e^ news that arrived to mee concerning the enemy, I did from time to time, by expresse, signifie to Col. Ingoldsby then

Comander in cheife of y^e^ frontieers, who as his letter makes appeare did truly acquaint his Excêl. Coll: Fletcher, who did after y^e^ enemy was gone come up to Albany without any forces; when I came up to y^e^ garrison at Schonectady and when y^e^ enemy was marching towards us, I had but part of a barrel of powder and but little shott, but I writt to Col. Ingoldsby who sent me one barrel of powder with 6 cannon balls.

DANIELL HUNT.

A true Copy

(signed) BELLOMONT.

Earl of Bellomont to Mr. Popple.

[New-York Entries, B. 208.]

To M^r^ Popple

Sir

I admire I do not receive orders from your Board; 'tis a great discomfort to me to moyle in buisiness here and send such information to the Councill of Trade and receive no return in all this time, and for want of orders I have not been able to go to Boston, and I desire you will acquaint their Lordships (which I forgot in my letter to them) that I shall not know how to remove thither in Spring, for want of a man of Warr. There's noe going by land, and to go it by sea upon so dangerous a coast for North West winds, that often carries people quite off to sea, that they are a good while before they can recover their port, is what I am not willing to hazard but in a stout ship.

Give me leave to advise your sending packetts when 'tis either towards winter or in the latter end of winter, by the way of Virginia or Barbados or both, which was the course taken in S^r^ Edmund Andros's time here, and, excepting in the dead of winter, there comes sloops hither from Barbados every month in the year, and two or three months earlier in the beginning of the year than any ships come from England to Boston or this place. I conclude, Sir

Your most humble Servant

BELLOMONT.

New Yorke
Novemb. the 14^th^ 1698

I send you the copy of a letter which was brought me yesterday. I desire you will shew it to the Lords of the Councill of Trade; 'twill shew what a madness the people are in in this Province, because I look sharp into their trade and after pirates and pirate's ships to keep them from coming into this Province. The originall letter is Jones's own hand writing. Smith is the pirat whose mony was seized this last summer at Boston to the value of two thousand three hundred pounds.

Heads of Complaint against Colonel Fletcher.

[New-York Entries, B. 102.]

Heads of Complaints relating to Coll: Fletcher's conduct in the Government of New Yorke: delivered to him at the Board the 28th November, [1698] and are as follows.

His countenancing of Piracy

That in the year 1693 a certain ship called the Jacob commanded then by Edwd Coates returning from a piratical voyage in the East Indies to Nassaw Island, some persons deputed from on board the said ship, did treat and agree with Colonel Fletcher to pay him the sum of seven hundred pounds upon condition that the said ship might be permitted to come up to New Yorke, and the men belonging to her have Protections

That for the better colouring of this transaction, Coll. Fletcher prevailed with the Councill to consent thereunto under pretence of allowing the men the benefit of a certain clause in an act of the country concerning Pirates to which those men had no manner of title, and the rest of which act is directly against them.

That in consequence hereof the said ship did accordingly come up to New Yorke and the men were protected, but it happening that instead of paying the money, severall of the men dispersed, the rest of them (in lieu of that payment) presented unto Coll Fletcher the said ship, which he afterwards sold for Eight hundred pounds.

That beside the Protections granted to the men of that ship, Colonel Fletcher granted the like Protections to many other notorious pirates belonging to other ships, for which they paid unto to him or his Agents, generally about a hundred dollars per man.

That tho' the tenour of those Protections import onely a promise of the protection of the law, and makes mention of security given, that the persons so protected shall be amenable to the law, yet no such securities are found amongst any of the publick papers of that Province, nor do's it appeare that any of the persons so protected were ever prosecuted for their piracies.

That in the year 1696. one Rayner who had been out on a piratical voyage with Captain Tew, and whose chest upon his returne to New York was seized, with a considerable treasure in it, by the Sheriff of a County, making application to Colonel Fletcher for the discharge of his chest and protection for his person, Colonel Fletcher did grant the same, and in consideration thereof received fifty pounds of New York money.

That Edward Coates aforementioned hath said that it cost him above thirteen hundred pounds for his own share, to procure Colonel Fletcher's Protection.

That Colonel Fletcher granted commissions to Thomas Tew, Richard Glover and John Hoare as Privateers against the King's enemies, tho' Tew had offered a considerable sum for a like Commission in another government, but not obtained it, and tho' they had none of them any ship or vessell within the Government of New Yorke, at the time of the granting the said Commissions. And they themselves publickly declared that they intended to sayle for the Indies and the Red Sea, and by that means raised men and fitted themselves for their intended piracies.

That Colonel Fletcher's intimacy with and kindness to the said Tew, who had before been a most notorious pirate, was very scandalous, and that he received great presents for such like Commissions.

That Colonel Fletcher granted also a like commission to Thomas Moston, Commander of the ship Fortune an unfree bottom, tho' it was then evident that the said Ship was not designed for any service of warr, but for illegal trade, and the sequel demonstrated it accordingly.

That the bonds taken by Colonel Fletcher upon his granting some of the said commissions were from the pirates themselves, joyned with one insolvent person and Colonel Fletcher's own Secretary, and that the said Secretary having them in his custody had blotted out his owne name in the body of the said bonds and torn off his sign and seale at the bottom.

Connivance at Illegal Trade. That the Connivance at Illegal Trade in that government during Colonel Fletcher's Administration had been so great that tho' the trade of the Citty of New Yorke have of late years been very much increased and the citty be thereby inriched and inlarged, yet his Majesty's revenue arising from the customes hath decreased very considerably from what it was ten years since.

Exorbitant Grants That Colonel Fletcher did during his Administration grant away vast tracts of land, not laid out by exact measure of acres but computed in the lump by miles, without laying any obligation upon the grantees to improve the same or taking care to prosecute any persons, by any law of the Province for the non improvement thereof: and this allso under very small and inconsiderable Quit-Rents.

That some of the said grants being of a great part of the Mohack's country (without their consent duly obtained) did tend to the disobliging of them and the exposing the frontiers of New Yorke to the attempts of the French; that others and particularly those of some part of the King's garden and a farm called the King's Farme, did take away much of the necessary conveniences of future Governours; that all of them tended to obstruct the peopleing and cultivating of the Country; and (there being now no land left fit for settlement) they have taken away from his Majesty the possibility of rewarding for the future with guiftes of land, the services of those that may deserve it, either in warr or peace.

The Forces neglected. That the Forces there were left by Colonel Fletcher in a miserable condition, not half the number that they should be by the Establishment and allmost starved, which is imputed in great measure to their hard usage, and, amongst other things, to the deduction made by Colonel Fletcher of one halfpenny per day out of each private soldiers subsistance, as also to the stopping of their subsistance when they were allowed to worke. Besides which and what more the soldiers were wronged of in the additional allowance of 4^{d} p^{r} day made by the country, it is observed that Colonel Fletcher made other indirect advantages by sending home full muster rolls when the men were not really half the number.

Fortifications not kept up. That the Fortifications on the Frontiers of that Province were very much neglected, and are now exceedingly out of repaire, and that the Fort of Cadaracquy was not demolished as was desired by our Indians of the Five Nations and as it might have been when deserted by the French.

A letter of Denization illegally granted. That Colonel Fletcher granted letters of Denization to Arnaut Nodine a Frenchman without any authority for so doing, and in such large and extensive terms as are directly contrary to the intention of the laws of England which relate to the Plantation Trade.

Notice of the Peace not given to the Govr of Canada. That Colonel Fletcher neglected to write to the French Governour of Canada, when he sent him notice of the Peace; which was resented by him as a slight.

The Lords of Trade to Secretary Vernon.

[New-York Entries, B. 109.]

To the Right Honourable M^r^ Secretary Vernon.

Sir.

Having lately received letters from the Earle of Bellomont dated the 14^th^ and 16^th^ of September last, in which amongst other things he acquaints us with some apprehensions he was under least the Count de Frontenac Governour of Canada should make some hostile invasion upon our Indians commonly called the Five Nations; We have thought it necessary to acquaint you with the circumstances of that matter, that you may please to lay the same before His Majesty.

Upon the Earl of Bellomonts arrivall at New Yorke one of his first cares was to send two gentlemen with letters to the Governour of Canada acquainting him with the peace, and inclosing to him the Articles thereof in French and Latin. At the same time his Lordship also returned the French prisoners that he had found in the hands of the English, promising to do the same with those that should be found amongst our Indians, and demanding in like manner the release and returne of all his Majesty's subjects both Indians and Christians, that were in the hands of the French.

In answer whereunto his Lordship received an account from the gentlemen he sent to Canada, that the Count de Frontenac had caused all the English prisoners there both male and female to be brought before them, but that all of them (except two or three) refused to return. Upon which they being reduced to insist upon the delivery of Children under fourteen years of age, that was granted to them, tho' with great reluctancy. But as for the Indian prisoners of the Five Nations, the Count de Frontenac refused to deliver them, pretending to have been already upon a treaty with some of those Indians themselves, who had left a hostage with him and promised that other deputies should be sent to him from the Five Nations to conclude their peace and exchange their prisoners, which he accordingly expected, and would not therefore treat with the Earle of Bellomont or any persons deputed by him upon that subject. Unto which after those Gentlemen had answered that the Indians with whom he pretended to have treated were not sent, but positively disowned by all their brethren. He then insisted much upon the French right to the Soverainity over the Five Nations, and notwithstanding all arguments used to the contrary, persisted in refusing to deliver their prisoners otherwise then to their own deputies, for which he said his orders were so precise that he could not receed from them, untill he had received others; and that the two Kings had either agreed the difficulties that are in those matters at home or sent Commissioners to determine them upon the place. And the Count de Frontenac having himself writ to the Earl of Bellomont to the same purpose, we send you here inclosed a copy of his letter.

Some while after this (viz^t^ in the month of July last) his Lordship went up to Albany to meet the Five Nations of Indians and renew their dependance or Covenantt Chaine (as they are used to expresse themselves.) He found them, as he writes, very sullen and cold being under much discontent by reason of their sufferings during the warr, for want of necessary succours and the loss of ninty four of their men by the French Indians since they had notice of the peace. But after much kindness shewn them, and an extraordinary present,

they made full expressions of their satisfaction and promised to remain firm in their former dependance.

In the month of August following his Lordship being returned to New Yorke, received an expresse from the Onnondage Indians (one of the Five nations) signifying that the Count de Frontenac had refused to deliver up some prisoners of their Nation, to theire own messengers; because there came not deputies to him at the same time from the others: sending word further to them and the Sinnekes Cayouges and Oneydes (whom he seems to look upon as less tied to the English interest than the Mohacqs) that if they did not each of them send one of their principall men, or Sachems to treat and conclude a pece with him at Canada in five and forty or fifty days, he would come in an hostile manner and compell them.

Upon which the Earl of Bellomont sent forthwith the Mayor of Albany, to a meeting of the Five Nations at Onnondage, to assure them of succour in case they were invaded by the French and thereby to keep them steddy to the English interest and hinder them from sending any publick deputation to Canada. Which direction they promised accordingly (but not without some difficulty) to observe.

Upon this occasion his Lordship sent also his Lieutenant Governour with a company of foot to Albany, that he might be near at hand in case of need, with instructions that upon intelligence the French were actually in march towards the Five Nations or had invaded them, he should take with him all his Majesty's forces in pay there, together with all the Train Bands and Militia of the country and oppose them. And at the same time he also sent an Express to the Count de Frontenac with a letter expostulating this matter with him, and setting forth the consequences of such proceedings, which would oblige him to oppose force with force: whereof a copy is hereunto annexed; that his Majesty may fully see how that matter, which very much deserves his royall consideration, stood at that time. It being withall our most humble opinion that it is absolutely necessary for the security of the Province of New Yorke and the rest of his Majesty's dominions in that part of America, that the Five Nations of Indians be preserved and maintained in their subjection to the Crown of England as formerly, by being comprehended in the generall peace and otherwise protected, as to His Majesty shall seem meet. We are, Sir

Your most humble Servants

Signed J. Bridgewater
Ph: Meadows.
Wm Blathwayt
Jno. Pollexfen.
Abr. Hill.

Whitehall
Decr the 8th 1698.

Mr. Weaver, Agent of the Province of New-York, to Mr. Popple.

[New-York Entries, B. 113.]

To Mr Popple.

Sir

Letter from Mr Weaver Agent for New York about the forces there, and about the English Prisoners that refused to return from Canada.

I crave leave to introduce my answer to your letter of the 5th instant (relating to the pay of the forces of New Yorke) with an account of the state of those troops.

By the Establishment the pay of each private sentinell is eight pence New York money, (which is thirty p^{r} cent worse than English money) out of which 2^{d} Sterling is deducted for cloaths, which reduces the pay to 5½^{d} or ¼ New Yorke money, which is about 3½^{d} English money, which makes the subsistance of the soldiers so slender they are scarce able to live on it; wherefore the Assembly of that Province allowed 4^{d} p^{r} diem to each sentinell at the country's charge, for the years 1696 and 1697. and these years the forces had no cloathing.

Colonel Fletcher then Governour of that Province reduced the said subsistance of 5½^{d} or ¼ (by agreement with the victualers) to 5^{d} p^{r} diem New York money which was a farther hardship on the private sentinells, nor hath he (as I can learn) accounted for the overplus, which amounts to a considerable summ in five years time of his government.

Colonel Fletcher likewise detained and delayed the payment of great part of the 4^{d} p^{r} diem allowed by the country to the soldiers who (being as it is said without cloaths) did thereon desert the service; whereby all such money as was due before their desertion was (as is presumed) converted to his private use, and by such desertion (so occasioned) the Earl of Bellomont at his arrivall found the troops very defective, as appears by the Muster Rolls, and many who had not deserted made their complaints that the said country bounty was detained from them.

No pay or subsistance for those troops hath been paid out of the Treasury for these 22 months past, but the private sentinells have been subsisted by victualers there, on the credit of the Governour, whereby a great debt is become due to them. The Officers had no subsistance untill the Earl of Bellomont on his own credit raised some money, and gave his own bills for the same on S^{r} William Ashurst, who applys to the Treasury on the Earl's account for the pay of those forces.

On the 12th of October last I drew an humble memoriall to be laid before the Right Honourable the Lords of the Treasury relating to the said bills pay, and subsistance of the forces of New York (a copy of which is inclosed) which I delivered to S^{r} William Ashurst, and since on his application £500 hath been paid to him by order of the Right Honourable the Lords of the Treasury. But the £500. fell short of the bills £150.

I have waited on severall of the Lords of the Treasury, who have promised that a speedy care shall be taken to support those forces and the Earl of Bellomont's credit, in raising money for them.

I dayly expect that the Earl of Bellomont will draw more bills, if his credit there be not lessened by the delay and short payment of the last bills.

I cannot learn what fund is appropriated for the pay of those forces, but do hope that on the representation of these matters by the Right Honourable the Lords of the Council of Trade,

speedy care will be taken for their pay, that the hardship of the 30 p^{r} cent deduction will be taken of, and that recruits will be sent to supply their present deficiencyes.

In answer to your letter of the 7th instant concerning M^{r} Schuylers report relating to English prisoners at Canada; I happened to be at New York at his returne, and as I apprehend, there were ten or twelve prisoners, most young people, who were perverted by priests to the Popish religion, and on that account (as they pretended) would not be persuaded to returne to their own country.

Be pleased to communicate what part of this you think proper, to their Lordships, when their leisure will permit. I am, Sir

Your most humble Servant

December the 10th 1698. T. WEAVER.

Earl of Bellomont to the Lords of Trade.

[New-York Entries, B. 283.]

To the Right Honourable the Lords Commissioners for Trade and Plantations.

My Lords.

'Tis a misfortune to me and a great prejudice to the King's affairs here that your Lordships send me no orders in all this time. 'Tis near six months since I had a letter from your Board, and I can not but think the pains I take here to serve the King and the interest of England deserves some returne. The worst of it is the Jacobite party here take great notice of it, and give out all the country over that I am therefore in disgrace with the King, for that the Ministers neglect me. There came a ship hither three weeks since from London and brought letters from Colonel Fletcher to several of his friends here, giving them an account of his kissing the King's hand and being received by his Majesty with all the marks of esteem imaginable, and severall other things in relation to the prosperity of his affairs. This news caused great exultation among the party, and it was industriously spread all the country over, and it was not forgot to be inserted with the rest, that I had not received one letter from the Ministers of England, which was made an inference and sure mark of my disgrace

I had this last week a letter from M^{r} Secretary Vernon by the way of Mary Land, which was very effectually penn'd to answer all the ends of my administration and to incourage my proceedings to discourage piracy and unlawfull trade; the beloved twins of the Merchants of this place.

Lieutenant Hunt sailed the 27th of last month from Pescataway (having come two or three days short of the Deptford man of War at Boston) with my packet to your Lordships, wherein are the states of the Revenue, Accounts and Fortifications of this Province; by all which Colonel Fletcher will appear very corrupt, and Brooks the late Collector will appear deeply involved in the two first.

M^{r} Basse the Governour of the Jerseys in contempt of the orders your Lordship formerly sent me, loaded the Ship Hester at Perth Amboy in East Jersey, and was sending her on a

voyage; on notice whereof I sent Mr Hungerford one of the present Collectors, and one of my Lieutenants with forty soldiers and seized and brought the ship away. I have since offered to restore the ship provided Basse would have her cleared at this Port, but he refuseing so to do we are going to have her tried. The whole proceeding about the said ship is contained in the papers herewith sent (N° 1) viz^{t} two minutes of Council and two letters, one whereof writ by Mr Cosens, Clerk of the Council, to Basse, by order of myself and Council, and Basse's answer to that letter. Mr Basse sent me word he had positive orders from the Proprietors not to yield upon no account to any orders I had received, and he threatens to try in Westminister Hall whether Perth Amboy be a port or no, and to sue me for damages for bringing away the ship Hester. She is a leaky ship of about 120 tun and her loading is 28000 barrel staves.

Now that I speak of the Jerseys it will be proper to acquaint your Lordships that I have not yet complied with his Majesty's instruction which orders my regulating the Militia of the Jerseys, because there is no civill government there, for Basse having not the King's approbation, as the Act of Parliament of the seventh & eighth of the King obliges all governours of Plantations to have, the people do not own Basse's authority, and for fear they should call it more publickly in question, he dares not call an Assembly. Besides 'tis said he has been formerly in very mean circumstances in that country, and his carriage now is very foolish, which makes him contemptible to the people.

I send a memorial of Colonel Romar the Engineer which by mistake was not sent formerly: it concernes the fortifications on the Frontiers and goes (N° 2.) I am much troubled for Colonel Romar's being recalled; he is an honest man and an able artist, as the Gentlemen of the Board of Ordnance told me.

There goes with this an Address from the Lieutenant Governor, Councel and Assembly of Massachusets Bay to me, desiring my repair thither, but till I receive your Lordships orders, I do not think it prudent to remove hence. The Address is (N° 3.)

There goes also another Address (N° 4). from the Council and Assembly of New Hampshire, which will shew your Lordships what mischiefs Colonel Allen is doing in that Province. He is, it seems, turning people out of their properties without processe at law, and so distracts the people there, that I fear the provision of Navall Stores for the King will suffer an interruption, which otherwise Mr Partridge, who is now here with me, gives all possible assurance of its succeeding to all our desires, so far as relates to timber of all sorts, masts, pitch and tar. As for hemp he has no hopes of that there; and I formerly wrot my thoughts of hemp and flax as fitter productions for the soil of Ireland and to be manufactured there where labour is cheaper threefourths than 'tis here, or in New Hampshire. I do not take the account I now write of Colonel Allen upon trust from Mr Partridge, tho' Partridge have a fair character, for I have the same account from two or three indifferent hands besides.

I do not trouble your Lordships with a reply to Colonel Bayard's answer to my reasons for suspending him from the Council, because I am perswaded when your Lordships come to peruse his answer, you will think it deserves not a reply. I rather think that being a man of so ill a character and going to England, Broker for the factious merchants here, to purchase my being commanded home (for such is the common report here, and that he is commissioned to lay out a great many thousand pounds for that end and purpose) he will deserve your Lordships censure, besides being a man in criminal circumstances, there being two positive

affidavits against him of his countenancing and abetting pyrates, and partaking of their spoiles, he is lyable to be arraign'd and tryed for his life. I am with respect, My Lords

Your Lordships most humble

New Yorke and obedient Servant

Decembr y^e 14^th 1698 BELLOMONT.

P. S. I send your Lordships my reasons for suspending Colonel Willet from Council; they are (N° 5.)

I send my reasons to Colonel Mynvieil for displacing him, but he having not yet returned me his answer, I forbear troubling your Lordships with them at present.

My proclamation for administring the Oaths, Test, and Association, to all his Majesty's male subjects in this Province of sixteen years of age and upwards I send (N° 6.) with a copy of my Circular letter to certain well affected persons in the respective towns and Counties, who are to administer the same: the said letter (N° 7.) The same proofs I formerly sent your Lordships of my reasons for displacing Colonel Bayard from the Councel of this Province will serve to make good three of the reasons I now send against Colonel Willet, and for the fourth reason the depositions of John Williamson and Benjamin Thurston sent your Lordships with my former letter of the 21^st of October last by Captain Jeffers will be substantiall proofs.

Report of Colonel Romer on the Frontiers of New-York.

[TRANSLATED FROM THE FRENCH, EXCEPT THE MARGINAL NOTES.]

[New-York Papers. E. F. G., F. 7.]

My Lord.

In obedience to Your Excellency's orders, I proceeded, on the 18th of May of the present year, 1698, to the frontiers of the New-York government, and, in the first instance, towards Albany, Schanegtade, Kanestigionne and the Half Moon: and, after having observed these places,

Situation of Albany 144 miles from N. York & to North. Schanegtade 20 miles West from Albany.

I found the city of Albany, situate on the Hudson river 144 miles north of York; an important frontier, as well as Schanegtadé, 20 miles west of Albany, on the Great Mohawk river: but these frontiers are neglected, built of wood and palisades of poor defence. Saving better judgment, my opinion would be to build stone forts there, constructed and proportioned according to the respective situations, and the importance of the one and the other of these two places. For

should be of Stone and proportioned to their importance

I consider if these two places should one day fall into the hands of the enemy, the provinces of York, Jarse, Pensilvania and Connecticutt, would be obliged, in a short time, to submit: and that Maryland, Virginia and New England would, consequently, greatly suffer. Also, as York is the depôt of all the Islands for flour, grain and other provisions, these would experience a very serious injury.

Where is very great it consists to the English possessions in view that the enemy make use the Indians.

Now Lord principally to owing the Augustin of the islands.

Kanestigionne 24 miles North west of Albany

Half moon 48 miles to the North.

These two to bounds of the frontiers to-wards new France.

In regard to the other places, Kanestigionne and Halve Moone—the first, 12 miles north-west of Albany, on the Great Mohawk river, and the other, 12 miles north on the Great Hudson river—they are to be regarded as the barriers of

Of great consequence in time of war for correspondence wth ye 2 Capital Frontiers.

Proper to have a good guard kept at them or a Redout of stone to hold 30 or 40 men in case of necessity.

And in time of war to have a palisade well flanqu'd for a retreat of ye neighbour inhabitants.

the two abovenamed frontiers on the side of New France; and, therefore, of great use in time of war for the preservation of good communication between the two principal frontier posts which I have already mentioned; so much so, that I should deem it proper to build a good guard house, or stone redoubt, for the accommodation, in case of necessity, of 30 or 40 men; and in case of war, a strong, well flanked palisade could be attached to it, to serve as a retreat for the neighboring settlers who reside 1, 2, 3 and 4 miles distant, one from the other.

Cheragtoge 28 miles to ye North of ye Halfe Moone.

Regarding Cheragtoge, a post on the Hudson river, 28 miles north of Halve Moon, I could not get there, though I had set out for that purpose, in consequence of the freshet in the rivers and other impediments, which it was impossible for me to surmount. I shall observe, however, with submission to Your Excellency, that I learned, by minute inquiries I instituted, that the farms, which were only seven in number, as well as the fort which was built there in Leisler's time, have been entirely ruined by the last war; since which time they have never been thought of, and the settlers have never thought of returning thither; and, also, because the French claim this country as dependent on them, notwithstanding we have had possession of it a great many years. I think it would not be useless to have a small fort built there of palisades, with a small stone tower in the centre, to maintain possession, and encourage the settlers to build and take up their residence there again. In time, the land can be cleared and the timber cut down, in order to open the country, render it accessible, and to establish an easy communication, so as to support said fort and the settlers, in case of need. Otherwise, a garrison in that place would be, as it were, abandoned.

The few farms and ye Fort made in Leisler's time ruin'd in ye war.

The French pretend it belongs to them. Tho' we have had possession for many years.

Proper to build a small pallisade Fort wth a little stone Tower in ye middle, for encouragemt to Planters to settle.

Who in time would destroy and cleere ye woods & open a correspondence to the Fort.

As for the other reflections to be made on the frontiers, of which I have just spoken, Your Excellency can see them in the plans I now, with submission and respect, lay before you.

W. Romer.

York, in America, this 26th of August, 1698.

A true Copy

(signed) Bellomont.

Earl of Bellomont to the Lords of Trade.

[New-York Entries, B. 260.]

To the Right Honourable the Lords Commissioners for Trade and Plantations.

My Lords.

I have given your Lordships the trouble of many letters since my being in this government, but I have yet a business of greater consequence to apply to your Lordships about than any thing I have hitherto writ to you of; which is, the administration of justice. That which is the very soul of government, goes upon crutches in this Province, and deserves your Lordships immediate care and redresse above all things whatsoever.

Colonel Smith one of the Council is Chief Justice of the Province, but is no sort of lawer, having been bred a soldier. He is a man of sense and a more gentleman like man than any I have seen in this Province, but that does not make him a lawyer. Then he lives four score mile off, and comes but twice a year to this town at the times of the Supream Court's Sitting, just to earn his sallary, which is a hundred pounds p^{r} Ann̄: sterling; and so is of very little use or service to the government. Whereas a man in that station ought to be a lawyer and a man of great integrity and resident in this town to be always ready to assist the government. As to the men that call themselves lawyers here and practise at the Bar, they are almost all under such a scandalous character, that it would grieve a man to see our noble English laws so miserably mangled and prophaned. I do not find that a man of 'em ever arrived at being an Attorney in England. So far from being Barristers, one of them was a Dancing Master, another a Glover by trade, a third which is M^{r} Jamison was condemned to be hanged in Scotland for burning the Bible and for blasphemy, a fourth which is M^{r} Nicolls, your Lordships have had his character formerly from me, and there are two or three more as bad as the rest; besides their ignorance in the law, they are all, except one or two, violent enemies to the Government, and they do a world of mischeif in the country by infecting the people with ill principles toward the government.

Now that there is a prospect of doubling the revenue I am humbly of opinion we ought to have good Judges sent from England and King's Councel to mind the interest of the Crown. The Lawyers here do so prey on the people that it is a melancholy thing to heare how unequally justice is and has been distributed in this Province; in so much as I am told a suit at Common law is more expensive and dilatory here than in England. We can not hold a Court of Exchequer here, not a man in the Province knowing in the least what belongs to it, and an Exchequer would be of great use in this Province. If justice were duely and impartially administered here it would be a great inducement to people to transplant hither and settle in the Province. I believe my Lord Chancellor of England would be apt to joine with Your Lordships in laying a scheme for the furnishing us with Judges and other lawyers and for contriving a maintenance for them. I know his Lordship has a very publick spirit, and I humbly conceive the recommending of persons to all imployments in the law is what is due to the station he is in. But that I submit to your Lordship's wisdome, and am with respect,

My Lords

Your Lordships most humble

New Yorke and obedient Servant

Decemb^{r} the 15th 1698 BELLOMONT.

Colonel Fletcher's Answers to the Complaints against him.

[New-York Entries, B. 148.]

To the Right Honourable the Lords Commissioners of the Council for Trade and Plantations.

May it please your Lordships.

When his Grace the Duke of Shrewsbury Secretary of State sent me his Majesty's Orders of Revocation from New York, His Grace was pleased to signify, as by His Majesty's command, that this was not done on Account of His Majesty being dissatisfied with me, for that his Majesty would take care of me and imploy me otherwise for the future.

My designation to New Yorke was utterly unknown to me and without my seeking. I got there on the 30th of August 1692. The Councill did the next day appoint one of their number Mr Nicholl and the Attorny Generall Mr Graham to lay the state of the Province before me, which fell under these heads:—

That the Government was £3000 in debt, no credit left, and the people most unwilling to pay the taxes.

That the Fort of New Yorke was in a very bad condition and the barracks tumbleing down.

That the fortifications of the Frontiers were all out of repaire, the soldiers not sufficient to defend them, the Indians in a very wavering condition, and that the extream Frontier called Schenactady had been cut off by the enemy, the town burnt, and many people destroyed.

In a week I hastn'd up to Albany, which was one hundred and fifty miles, and to Schenactady 20 miles further.

I presently begun and afterwards continued both there and every where else, to put things into such a state of defence as that his Majesty lost no part of his dominion, nor of his honour I hope, during the warr.

As to the Civill affairs your Lordships own books are doubtlesse full of those confusions which arose in that Province by the life and death of Captain Jacob Leisler and of Milborn his secretary. I found many of their associates in prison and under sentence of death. Those I set at liberty; and turning all my thoughts to heal and cement the animosities which had run them into generall poverty, I did by God's help appease all marks of distinction, and did so equally preferr into places and commands such as were fitt, that perhaps the different nations of that Province were never more united, or had more trade and plenty among them then when I left the place. It is impossible that those publick attestations I have from the principall of the English Dutch and French Nations who there reside should have been so freely given me as they were, at my departure, had I been that ill Governour which some have laboured to make me. And surely if malice itself could have accused me in any hanyous thing, as in the want of reverence to God's laws, or in defect of courage and zeale for my King, or that I had robb'd the publick or oppressed the meanest subject, I beleive my enemys would have little minded what they have now raked up.

I am very sorry I am not to know my accusors, or in what manner I am attack't; for I might thereby have saved Your Lordships time, and not needed to pray, as I now doe, that my right may be preserved in having counter witnesses examined, as well on that side as on this (if need be) for the manifestation of truth and supplying what may be short and defective in what I now represent.

As to the 1st 2nd 3rd and 5th heads of Complaint against me, I say, that about the month of April 1693, Mr Nicholl whom I found a Member of the Councill and who also followed the practice of the law came to acquaint me that a ship called the Jacob commanded by one Edward Coats was come to Southhold in the east part of Nassaw Island; that the Ship formerly called the Union of Rochell had been taken from the French, and in the beginning of 1690 condemned in a Court of Admiralty erected by Capt. Jacob Leisler and afterwards sold by Milborn to Mason, Coats and others, who had been the Captors; that these getting from the said Leisler a commission against the French, gathered a crew, some from New Yorke and others from the neighbouring Colonies; that they having been roving till this time, had now touched at the place aforesaid, where hearing of Leisler's fate, they fell into mutiny and ransacking the ship, and that most of them were dispersed to their habitations in the neighbouring Collonies: that those of them who were of the Province of New York had sent two of their number to him to mediate for permission to returne home, which if refused they would then sett off, and seek out some other port.

My answer was that I would do nothing in a matter so new unto me, but that it ought to be laid before the Councill, where accordingly it was brought. The sence of the Councill was, that altho' the long absence of this ship and these men gave suspition of their having been in the Red Sea, and had got wealth, yet was it also possible that she being a ship of force may have taken it from others that were pirates; that New Yorke being the place from whence they had set forth, and where those who now addressed had their habitations, they would more easily be found and made answerable to law, when any information or complaint should come against them.

That the Province being then exhausted as well of men as of mony, nothing could be worse then to drive these men to other parts.

Wherefore they did advise and that unanimously that these men should be received into the protection of the government upon giving security to stand answerable and not depart the Province for a year and a day; and to this resolution I did conforme. But I do positively deny that I ever influenced any one Member of the Councill to such their resolution; nay on the contrary when some of them urged the law that is mentioned, I did convince them that there could be no authority or countenance from that law. Yet they were unanimous upon the motives aforesaid; and did not only so advise but even request my concurrance, so far was I from perswading them to what they voted.

I do in like manner deny that any of the said ship's company or any other, did ever treat directly or indirectly with me or any for me, to give a gratuity for the protection above said or for the bringing up the ships to New Yorke, and I can here produce to your Lordships a gentleman of credit to testifie that he meeting there one of the crew, who was reported to have sworn in this case against me, the man replyed that he was frighted to it, and did not know what he had done: perhaps time may produce to your Lordshipps (who only seek for truth) some other instances of like sort. But thus much I do acknowledge and did never disown, that some time after the fulfilling of what was so advised & requested by the Councill in the point of Protection and Security as aforesaid, the owners of the ship did publickly and openly offer her to me as a present; and she lying under no forfeiture condemnation or arrest, I did accept the same, and shall nakedly acquaint your Lordships how I disposed thereof.

As to the objection that the Securities given doe not now remain among the publick papers of that Province, I say they did there remaine during a year and a day, but that time being

expired and no prosecution made, the Suretyes, as by law they might called for their bonds, and had them up.

But as to the said ship, I had these motives to accept thereof. Those who victualled the forces had a great arrear due to them, and were unwilling to trust any further; and a merchant of the place bidding 800£ (of that money) for the ship, he had it accordingly. I touch't no part of the money, but directed it to discharge and supply the victuallers; as was honestly done.

Hereupon I writ to the Agent of Province in England that when he could recover the vallue of this money, which might be about £600. Stêrl. he should remitt it for me into Ireland where my small patrimony of an adventure lay in ashes by the calamity of the late rebellion. And here my Lords let me presume to say, that I had my share in the Irish Warr, and do appeale to all the Commanders in that Army as to my behaviour in it; and whether in that or near thirty year's service before, ever any complaints was brought against me, not only from officer or soldier but the inhabitants of any corporation where I often commanded. I can with the greatest truth affirme that I was so far from making gaine by the misfortune of our friends that I never did it from the ruine of our enemies, and it was I presume the report of this behaviour that sent me to New Yorke, for I had never thought of the place till the moment it was proposed to me and my answer required. And now my Lords what Governour is there not only in my ruined circumstances, but even in the greatest plenty that having a present publickly made him and which fell so by accident and without any fraud, prospect or contrivance for it, and does refuse the same? But if this were rashly or unadvisedly done by me, and that I, of all men, stand single in the guilt of accepting a present, I must submitt it to His Majesty's grace and judgment, being every day ready to sacrifice even my life at his commands.

As to the complaints from the 4th to the 12th they relate to the actions of those called pirates, the commissions and protections given them for rewards, the ill security taken, and no prosecution made; and the persons named for such pirates are Edward Coats one Reyner, Captain Thomas Tew, Richard Glover John Hoar and Thomas Moston. I do not here put them together to evade answering in any point, but to prevent repetitions, and so to save your Lordship's time.

I do here solemnly declare that I never was in my life time, directly or indirectly concerned in unlawfull, or even lawfull trade.

That I never had, or any for me, other gift from the said Edward Coats then what his part in the said ship Jacob, so presented as aforesaid, might be worth; & if the hearsay of his giving 1300£ for his share, to others, be truth, I hope it will be discovered.

That as in the generall I never gave protections or commissions but where the Councill approved thereof, so I never gave any upon promise or expectation of reward; yet am very apt to beleive that when Commissions or Protections were granted in the manner aforesaid, that the parties concerned might pay fees to my servant or such as drew their dispatches, but whether they gave an hundred dollars or other gratuity as they thought fitt, it never fell within my cognisance or to my profit as I have before affirmed.

That for not prosecuting of persons now called pirates, I had noe complaints brought before me upon which to ground a suite or prosecute, according to law. And if any of them are now discovered to be such, the law and a good magistrate can punish them, altho' the time for which they gave suretys be elapsed and their bonds given up.

As for the weake or insufficient suretys that were taken, this I conceive depended wholly on those whose business it was for the King's service to inquire into the sufficiency and ability of the persons to be bound; and if a servant of mine did at any time joyne with others in any such surety, it was to me utterly unknown. I have retained the man complained of, still in my service, that he may be forth comming, and appeare to answer for himself in that foule rasure of his name and seal that is mentioned; for if he be found guilty no man has or ought to have more indignation thereat than myself.

As to the case of Rayner (first named) I never saw the man, or did know or yet beleive that he had served with Captain Tew, or had been upon any piraticall voyage; but this I well remember, that one who was of councill for him, brought me a complaint that the Sherrife of Suffolk County had seized on the effects of one Rayner without authority or any processe, and praying an order of restitution and the protection of the government till he were accused or complained of in due course of law. I did, as I thought justice required, grant the same, and if this were a treasure as is represented, I might have been suddenly rich and not now complained of for a present of fifty pounds in the money of New York.

As to the four commissions which I granted to Captain Tew, Richard Glover, John Hoar and Thomas Moston, they were men in reputation for their bravery and courage, and what I did therein was with advice and full approbation of the Councill.

Hoar by virtue of a Commission from the Governour of Jamaica had after an obstinate fight taken a French ship of considerable force, which he brought into Rhode Island, and for which ship I gave him commission against the French.

Glover was an inhabitant of New York and master of a ship built there, and then riding in the harbour; he had another of the like sort.

Captain Tew had formerly received a commission from the Governour of Bermuda and having gotten another ship then riding at White Stone in New York I granted him a third, to make warr upon the French.

I could ill have answered the refusing commissions to such men as undertook and stood engaged to make war against the King's enemies. I do affirme that I never knew or so much as heard that any of these intended for the Red Sea or the Indies, or that any of them had ever been there, except Tew, who made open vows and protestations never to returne thither againe.

As for Glover he went directly, as I heard, with a loading to Barbadoes, and there tooke a new Commission from the Governour, and was thence sent for Negros to Madagascar, and that he was there taken by the Pirates.

And if Tew and Hoar did abuse the commissions they had and turned pirates afterwards, 'tis an event of which like instances doe some times happen, but it not being in my power to foresee, I was not able to prevent.

I say the same thing in the case of granting a commission to Moston. The case (as I recollect) was thus. There were severall English and Dutch merchants of New Yorke who had hired the ship Fortune, to fetch negroes from Madagascar, as was every year usuall with them.

They prayed a commission, and considering the quallity of the men and the opinion of the Councill, I granted the same; but do affirme to your Lordships that I never knew or ever was informed that the said ship was an unfree bottom, for had I known thereof I had held my hand.

As for my intimacy and kindness with Captain Tew and the great presents from him which is objected, this is the truth and whole truth of that poore affaire.

This Tew appeared to me not only a man of courage and activity, but of the greatest sence and remembrance of what he had seen, of any seaman I had mett. He was allso what they call a very pleasant man; soe that at some times when the labours of my day were over it was some divertisment as well as information to me, to heare him talke. I wish'd in my mind to make him a sober man, and in particular to reclaime him from a vile habit of swearing. I gave him a booke to that purpose; and to gaine the more upon him, I gave him a gunn of some value. In returne hereof he made me also a present which was a curiosity and in value not much; and this is the sum of all that kindness I am charged with; for as to the coming sometimes to my table, which I think was such as became my character, and hospitable to all, I hope that will not stick upon me, if your Lordships but inquire what others have done and still continue to doe in that kind.

To the 13th complaint, I confesse it looks like a probable consequence, that if His Majesty's customes grow lesse when the trade increased there should be connivance at Illegal Trade.

However it is as unlikely that I should ever connive who will be deposed that I never was concerned in trade; but that consequence results, as I am told from the alteration in trade; for whereas the cheif trade of that place was formerly to and from Europe and that citty the principall mart of Europian goods for the neighbouring collonies, the merchants found such heavy losses of their shipps and goods during the warr that to be more secure they cheifly traded with their neighbours or to the West Indies, and in such exportations and returns as produced little duties to His Majesty, and 'tis said the other Collonies are lately fallen into a direct Europian trade, and have those things from England which before they were wont to have at New Yorke. The truth of all this will best appear to Your Lordships by examining those who are conversant in trade. But this I affirme that I never shutt my eyes to any breach of the Acts of Trade and Navigation, but did all that in me lay to have them duely executed and fulfilled. And let me here add, that unless it were the ship Jacob, of which before, there never came to New Yorke any ship from the Red Sea or the East Indies in all my time.

As to the 14th and 15th heads of complaints about Lands granted by the lump, and without measure, without obligation of improvement, at very small Quit Rents, and the disobliging of the Mohacks: I can not be so particular as if I had copies of all papers and entries relating hereunto. In the mean time let me thus far acquaint your Lordships.

That it was one of the Instructions I had from his Majesty that when any oppertunity should offer for purchasing great tracts of land for him from the Indians for small sums, I was to use my discretion therein, as I should judge for the conveniency or advantage which might arise to his Majesty by the same.

Reasons for Col. Schuyler's grant.

Colonel Peter Schuyler and Company being four Dutchmen inhabitants of Albany set forth by petition that they had been very vigilant and serviceable on that Frontier against the enemy during the whole warr, and they pray'd liberty to purchase some tracts of land from the Mohacks. Both myself and the Councill (where their petition was brought) knowing the meritt of the men, we gave consent, as willing that His Hajesty's dominion should be extended and plantations gradually made by his subjects as far foward towards the French settlements as was possible, which by time, and a peace, and enlarging the Frontier, might prevent the French from destroying Schenactedy, as they had done before, and so turne to his Majesty's account. The Petitioners did thereupon in July 1697. treat with

the Mohacks for certain tracts of land bounded by mountains woods and lakes, as they thought fitt; and eight of their principal Sachems did for the consideration given them, signe and seal an instrument of conveyance in like solemn manner as any other Indians had done before. Yet they did reserve to themselves and their heirs such parcells of those tracts as they or their heirs should have occasion to plant.

The Petitioners having brought this contract, a grant was accordingly ordered, for it appeared that the Mohacks our friends had hereby the same use of the lands which they ever had made before, and that hereby the French were excluded from such purchase. And I was in particular so satisfyed herein, that I ordered the petitioners should not pay even the common fees of the Seal.

How those Mohacks are now stirred up to complaine I know not, nor will I surmise; but if the grant doe really offend them and may breed the ill consequences that are suggested, 'tis not very hard for the Governour to vacate the same. In the mean time if any defect appear in this or any other grant for not reserving sufficient quit rent or covenants for improvement, surely Mr Attorney who drew such things and best knew the formes and methods of the Province, is most accountable for the same.

As for the lands which had been before in possession your Lordships will certainly find in your books, how all the most valuable land of that Province had been granted away before I came to the place, and that some Governours had had large tracts thereof.

Grant of the King's garden. To what your Lordships mention in particular of some part of the King's Garden granted away I thus remember that in the begining of the year 1696, Colonel Caleb Heathcote did petition that he might have liberty to erect a wood wharfe (as a thing of publick convenience) on a wast peice of ground lying Westward of the Stockadoes of the King's Garden, and so down to the low water marke, about 120 foot in front. There was a committee of the Council appointed to survey the ground and upon their report a lease was granted him for 41 years at four shillings rent and one shilling quit-rent; I never saw or did know that this spott was reputed any part of the King's garden, or that it could be of necessary use to any Governour. I am sure it lay in the wast I found as to me.

Grant of the King's farme. For the land mentioned called the King's Farme I did indeed grant a lease of the same, and the case was thus. When Sr Edmond Androse was there Governour and managed for the Duke of Yorke, he granted a lease of that Farme for 20 years, and under the yearly rent of sixty bushells of wheat. The term expired in the year 1697. I was offered £200 for a lease, and I refused it. But in as much as a church was then building for the English part of the Colony and of which it was destitute before my time; I did, for incouragement of that worke grant a lease thereof to the Church Wardens; it was without fine, at the old reserved rent, and only for seaven years. But if building churches be a crime, I shall take warning how I build any more. I will only add that as I never took one acre of land for myself or children, so had I never any reward for any that was granted.

The several complaints in the 16th head sound highly criminal against me as a soldier, till I acquaint and explaine to your Lordships the state of every branch thereof.

I doe utterly deny any hard usage from me to the soldiers and doe detest the charge of having either defrauded them in any part of their subsistance or of what was allowed by the country (which was but for one year) or ever stopping their subsistance when any of them were allowed to worke. On the contrary it was my constant care, by standing victuallers, to

provide them with wholsome dyet and all due encouragement that I was able; yet could not all my care hinder the death of some and the desertion of many more.

As for the cause of this and the harsh charge of sending home full muster rolls when the men were not half the number, I begg leave to set forth, that while the country raysed soe much for the warr, as that the soldiers had 4^{d} a day thereout, for their better subsistance in that dear place (which help was granted and enjoyed but for one year) the desertions were very few, but it was quite otherwise when this help failed, for then some numbers deserted, and I was very hard put to it to supply them for having no power to press the men of the Colony, which was but thinly peopled, I was constrained to hire men at their own rates, often at 4£ and sometimes £5. per man, nor would any of them indent for above one year's service, and when deaths and desertions were thus recruited by my advancing of considerable sums, then and not before were the Muster Rolls sent home full, for had it otherwise been, the whole charge and maintenance of those recruits must have rested upon me. This was the method I held till my government was put into another hand and noe power left in me to recover what I should in like manner lay out. And I do agree that at my successors arrivall and after the peace, there were many men found defective, and 'tis not to be wondered at for the poor soldiers had wanted as well their cloaths as their off reckonings for above two years. But who it was that stopt the comming of these things when sent for and in a way of providing, and who had the tallies of £1500 for these ends, your Lordships may at the Earle of Ranelaughs office be easily informed, as also elsewhere the reason why in the dearth of men complained of, 17 of my company most of them sent as recruits from England should be disbanded, without the cloathes they had served for or any money in lieu thereof, which I mention not but in compassion to men I know, and who bring their cries to me, when [I] am not able to help them.

For the 17th complaint of neglecting the fortifications of the Frontier, and the not demolishing the fort of Caderaquy when deserted by the French, I say to this last part.

That being at Albany I did not only call a Councill of warr but had conference with the Indian Sachems about the worke. They did confesse that the said Fort was 400 miles off, that it was built of lime and stone, and a regular fortification; that it was scituate on a point of land between a river and a lake; that the mountains and morasses in the way made marching very difficult even for light and single men (one of those morasses being 20 miles long) upon which the Councill considering the force and the materialls that must be imployed in such a distant worke, they were unanimous, and signed under their hands that it was not practicable.

I did hereupon furnish the Indians with armes and amunition to defend that Fort if a re-settlement should be attempted. I charged them to be upon their guard and promised them upon timely notice I would send succours to them. But the French came afterwards and surprised them; they never sent notice, and have still acknowleged that it was their owne fault and misfortune; however they come to be otherwise now instructed. Time was that they themselves were of another mind when they gave me the nick name of the Grand Swift Arrow, as acknowledging in their way my being suddenly with them upon every call.

As to the other part of our own frontier fortifications; they were always of wood, which is very subject to moulder and decay: I found them very bad. But the forts of Albany and Schenactedy were both new stockadoed by me, and I supply'd them with such addition of great gunns and necessaries during the whole warr, as that the enemy durst not approach; nor was I wanting in this part where the danger was less, whatever has been said or printed to the contrary against me. For at New Yorke I made up all the soddworke anew, the two bastions

towards the sea I flagged with free stone, the curtaine between those two bastions I built up new from the ground, the well new made, and a very large cistern for receiving water, half the soldiers barracks pull'd down and rebuilt, new carriages for thirty six gunns, a paint house upon collums for securing the feild peices and their carriages from the weather, the chaple new built and all finished to pews. As to the Governour's house it was all new shingled by me, two rooms wainscoted, an addition thereto built from the ground with brick and shingled and secured from the weather, tho' not finished within; a new pump made without the Fort Gate and one thousand and fifty tonns of lime paid for and lodged in the new house, for the pointing and refitting the Fort.

To the 18th complaint for granting to one Nodine a Frenchman an illegal letter of Denization.—I say, that the desire of New Yorke and other plantations being for an increase of settlers among them, I did follow the example of my predecessor and did grant denizations to severall of the poore French. I do not remember Nodine in particular, but this I well remember, that whereas Mr Attorney demanded £5. fee in such cases, I did forbid any fees at all to be taken from the poor French Protestants, and this I presume is now remembred on me. But surely if any thing has been done of this kind contrary to the formes or intentions of the law, as some body else is to blame, soe no such grants can injure the plantation Trade, for that they all are void. I here observe that 'tis only in this single article objected that I proceed without any authority; soe that if in all other things I went by the advice of the Councill, 'tis as my instructions commanded me to doe.

For the 19th and last complaint that I neglected to write to the French Governour of Canada when I sent him notice of the Peace, which was resented by him as a slight: I say, that I had no notice of the Peace from Whitehall or any orders about it; yet hearing from my friend the Lieutenant Governor of New England that there was a peace, I sent notice of what I heard, to the Commander of Mountreall for prevention of any hostilities, that being the garrison next bordering to New Yorke. But I never sent to the Governour of Canada, nor could I have written to him in the French tongue, if I had so desired.

Thus farr my Lords I am able to answer without knowing my accusers or their evidence, or in what manner I am attack't, and without having more allowed me then the bare heads of complaints. But I can not be ignorant that there are two Scotchmen gott into credit who are my mortall enemies, men that are able not only to trouble a Province, but to turne it upside down; and if these men can by successive complaints keep me under prosecution they have their ends. For I am thus hindred from any credit with your Lordships in what I might be able to say, upon near six year's experience, for his Majesty's service, both as to the peace of that Colony and the preservation of our Indian friends. God grant that the needfull informations may not come too late.

As to myself, when I consider the cloud I am under and the bitterness with which I am pursued, even to gall, and that all my actions are ransack't 'tis truly a wonder that in so many years administration I should not have fallen into more absurdities and errours that what my enemies accuse me of. 'Tis certain that a Governour must make some enemys, if he will either punish bad men, or even prevent them in their ill designes. But were I that wicked man they paint me for, where are the complaints of any single man that is credible, or of any body of men, either in New Yorke, Pensilvania or Connecticut, where I alsoe commanded, or from the Jerseys with whom I had neighbourhood and intercourse, or from New England, which tho' remoter, I still held correspondence with. 'Tis certain I ever did to the best of that understanding which God gave me, tho' not what a wiser and a greater man might have done.

I hope your Lordships are at this time convinc'd that I never touch't any of the publick money, and that there was no reason to require at my parting those exorbitant bonds of ten thousand pounds, and for which 14 principall men were bound with me, and are still kept under that obligation without any cause.

It has been most invidiously reported of me that I had gotten, some say forty, but others, twenty thousand pounds at least, and made this the measure of my guilt.

My Lords, I doe herein expose myself to the utmost scrutiny that can be invented, if what I say be not the truth. I have not gott full three thousand pounds if I had all that is my due. It is as yet little above £2000. and when I shall receive the arrears due to me from the Exchequer and what I have advanced for subsistance of the Companies, it will all fall under £3000. Mr Gilbert Heathcote can better than any man give your Lordships information herein. But I submitt to your Lordships if after goeing with my wife children & family to so remote a part, goeing twice from New Yorke to Pensylvania, once to Connecticut, every Summer to Albany, staying there a severe winter, and being in every place where the danger of the warr called me; whether the gaining £3000. for six years care in the best part of my life, be an invidious summe.

Wherefore my trust now is in your Lordships justice and candor, that I may not be stifled by my enemies, but that your Lordships will in your report of these things concurr with His Majesty's gracious opinion of me, when I was recalled. His Majesty then declared that it was not on any account of his being dissatisfied with me, but that he would take care of me and otherwise imploy me for the future.

BEN. FLETCHER

London December 24th 1698.

Memorial of Mr. Weaver to the Lords of Trade.

[New-York Entries, B. 146.]

To the Right Honourable the Lords of the Councill for Trade and Foreign Plantations.

The humble Memoriall of Thomas Weaver Agent for the Province of New Yorke.

That the Earl of Bellomont hath given repeated instructions to represent to your Lordships the miserable state of the Forces of New Yorke

The Officers and Soldiers have neither had subsistance nor pay out of the Treasury for these twenty four months past.

The sentinells have been subsisted by victualers who have given credit to the Government there, whereby so large a debt is contracted that without some speedy care they are not willing to give further credit.

The officers have likewise had but private sentinells subsistance on the same credit; except five hundred pound which the Earl of Bellomont paid them and drew bills for England, which are since discharged by a payment out of the Exchequer.

Without immediate care be taken it is feared that the credit of the government with the Victuallers there will sink, the soldiers desert, and the officers give up their Commissions, the

Indians fall off when they find we have no strenght there to support them, the rich trade of furs we now have with them will be lost to the French, and for want of their assistance the whole province be in danger in case another war should break out.

The forces of New Yorke are on the same Establishment with the forces in England and (as is presumed) are to be paid out of the same funds.

The Earl of Bellomont requests your Lordships speedy representation of these matters to his Majesty and the Right Honourable the Lords Commissioners of the Treasury, in order to obtain the subsistance and pay of the forces under his Government; which is neverthelesse humbly submitted to your Lordships great wisdome, by

My Lords

Your Lordships most humble Servant

Decemb^{r} the 29th 1698.

T. Weaver.

Lords of Trade to the Earl of Bellomont.

[New-York Entries, B. p. 213.]

To the Right Honourable the Earl of Bellomont His Majesty's Captain Generall & Commander in Cheif of his Majesty's Provinces of the Massachusett's Bay, New York and New Hampshire in America and of the Territories thereupon depending &^{c} Or to the Commander in Cheif of His Majesty's Province of New York for the time being.

My Lord.

We writ your Lordship the 25th of October last what there occurr'd and have all along since that time been making what progress we have been able in the severall things you have writt about unto us. Two copies of our said letter were put into the hands of M^{r} Weaver to be sent forwards by different conveyances and we can not doubt but one or both of them have reached your Lordships hands.

The letters we have received from your Lordship since those therein mentioned, are dated the 14th and 21st of September, the 21st and 24th of October, and the 7th 8th and 12th of November last, together with all the papers therein mentioned and refer'd to; and we have also seen what your Lordship has writ at the same time or by the same conveyances to our Secretary.

Upon the whole as we cannot but again observe your Lordship's very great application to his Majesty's service in reforming the many abuses which have been practised in the Province of New Yorke and taking such measures as may tend to the better improvement of that Province for the future (which deserves the highest commendation) so we are no less sensible of your Lordships exact and clear method in all your dispatches and therefore again desire the continuance of it. Only in this place we observe upon the late letters relating to the Revenue and M^{r} Brooks's conduct in receiving and collecting the same, that we should have been glad to have known what information you gave the Lords of the Treasury about the same things at the same time, as you were pleased to informe us on the like occasion in your former dispatches; because such advices may some times save us a needless trouble.

You will undoubtedly have received a letter from their Excellencies the Lords Justices of the 28th of October last, grounded upon a representation which we laid before them relating to the state of that Province in which are such particular instructions as we hope will effectually remedy a great part of the irregularities that you have complained of, and enable you to settle the affairs of that Province in such a method that your repairing to your other governments (when you find it convenient) may breed no inconvenience in the affairs of New Yorke. But we do not in this take upon us to order or direct any thing for your Lordships going to New England or staying at New York (as your Lordship seems to expect from us by your letter of the 14th November to our Secretary) more than what seems necessary or convenient in your own prudence according to the circumstances of things that lye before you.

Besides the generall representation aforementioned upon which their Excellencies foresaid letter was grounded; we also laid before them another relating to the Forces and Fortifications of that Province, offering our opinion that Colonel Romar might stay longer for the repair of the Fortifications; with which their Excellencies were pleased to concur, tho' we understand since that those orders will come too late. And we likewise therein proposed that two hundred recruits might be sent for the forces; but upon that no determination has yet been taken. However we are not yet unmindfull either of the necessity of those recruits or of provision for the pay of the forces now there, and shall therefore in all proper occasions promote both those things to the utmost of our power.

What you have advised us about the Governour of Canada's insisting upon the French King's right of Soveranity over our Five Nations of Indians has been laid before His Majesty, as also what Mr Stoughton has informed us about the incroachments made by the French of Accadie upon the territories of New England and their pretence to the sole right of fishing upon the banks in the high Sea, which lye off that coast; all which matters will come properly under consideration when the French commissioners that are to be sent hither to treat about the bounds of territories in America, do arrive.

You will easily conceive that our forementioned Representation upon the state of that Province could not be made without a long deduction of many matters of fact (as we received them from your Lordship) relating to Colonel Fletcher. But as we did not think fit (without being required) to offer any opinion thereupon with relation to him in particular, We have been since ordered to hear him upon those matters and then report our opinion. We are therefore now employed in making what progress therein we are able, and shall not only hear Colonel Fletcher but Mr Weaver also, in answer to what he has already offer'd or may further say; of which your Lordship shall in due time be informed as may be necessary.

Your Lordship's aforementioned letters which are dated in November, we have but just now received and have not yet been able to digest the matters contained therein, for any report. But in the mean while upon reading of that of the 8th we cannot but think it highly necessary that your Lordship proceed to cause an exact and thorow audit to be made of the accounts as you therein propose; that so any corruption which may have been in the management of any part of the publick treasure may be fully detected, and those that are found guilty thereof be made to refund, or otherwise suffer as justice shall require.

In your letter of the 12th of November you mention an omission of the Clarke to enter upon the Council Books your having advised with the Council in granting a commission of Oyer and Terminer for the tryall of a soldier for killing an Indian Sachim and thereupon desire that the said soldier may be pardoned; unto which we must answer that the Indians

are known to be of so vindictive a temper that the pardoning of any who has done them so capital an injury, is a matter of very nice consideration, lest their resentment of such an offence should tend to alienate their affections. So that tho' some of them have interceded for this man's life yet your Lordship ought to be very well assured of their general inclination before he be absolutly pardoned; and therefore we chuse not to move any thing in that matter, but leave him (as he lies at present) under your Lordship's suspension of the execution of his sentence. And as to your Lordship's apprehensions from the above mentioned omission, we can only answer that we hope Colonel Courtland's and M^{r} Graham's testimony (if they do remember your Lordships taking the consent of the Councill in the matter) will be of good efficacy to prevent any inconvenience that might otherwise ensue thereon. However if your Lordship please to send us a copy of the foresaid Commission of Oyer and Terminer, that may perhaps inable us to judge better of the case.

Besides the papers which you have transmitted to us relating to Colonel Fletcher's conduct in the government of New Yorke, there has one thing come occasionally from Mary Land, which having been laid by the commissioners of the Customes before the Lords Commissioners of the Treasury and by them before the Lords Justices, was referr'd unto our consideration, vizt: certain letters of Denization bearing date the 5th of November 1697. granted by Colonel Fletcher to Arnauld Nodine a Frenchman, in such extensive terms that upon the seizure and tryall of a vessell (whereof he was Master) in Mary Land, he was adjudged there to be quallified to trade as an Englishman. Which being of evill consequences to England and directly contrary to all the Acts of Trade made here; we accordingly offered to their Excellencies our opinion thereupon in a representation, whereof we send you here inclosed a copy; because we suppose the substance of it may not be unusefull to your self in the like occasions.

In a letter from M^{r} Randolph dated in New Yorke the 25th of August last, he sent us a list of vessells cleared out in the Custom house in New Yorke from the 25th of March to the 17th of August last for Curasso and Madagascar; and as your Lordship has already been very watchfull upon the trade with Madagascar and we have* sent you a late† Act of Parliament for your further conduct therein; so we cannot but upon this notice of trade with Curasso advise your Lordship to be alike watchfull upon the returne of vessells from thence, that they be not allowed in any thing contrary to the Acts for Trade.

* Oct 25. 1698.

†An Act for raising a sum not exceeding 2000000 upon a fund for paymt of Annuities after ye rate of 8£ pr Cent pr Annm and for settling the Trade of ye East Indies. Past in ye 9th and 10th of K. W.

Upon this mention of Madagascar which has been the great rendevous of Pirates it may be proper to acquaint your Lordship that preparations have some while been making here for sending a squadron of ships of Warr to suppress them there and at S^{ta} Maria, or where ever else in those seas they can be met with, and that in order to the reducing of them either by offers of pardon or otherwise directions were given for a proclamation proper for that service, in which (upon news of Captain Kidd's having committed some notorious acts of Piracy) his name was ordered to be joyned with Every's as persons to be exempted from pardon, which we suppose hath been or will accordingly be don.

Wee see nothing in all your Lordship's conduct upon your meeting with the Indians at Albany, nor in your message since that to the Onondages but what seems very proper for reteining them in their subjection to the Crown of England; which is certainly most necessary and must be always endeavoured by all means possible. We should have been glad to have understood upon that occasion or by any other of your letters, what became of those Indians

that were here, and returned to New Yorke under the care of Mr Brook and Mr Nicoll; for we doubt much of their sincerity and suspect their inclination, byassed in favour of the French, may incline them to do us more harme than good.

Your Lordship's proposal in your letter of the 1st July that some part of the stock of the Corporation for evangelizing the Indians should be imployed towards the instructions of the Five Nations in the neighbourhood of New Yorke, seemed unto us very reasonable, and we thereupon moved it to Sr Henry Ashurst, but were answered by him that their stock is (by the Charter of their incorporation) appropriated to New England and cannot be imployed elsewhere. However we intend to inquire further into that matter, and if your Lordship can give us any further light, or that your presence in New England (when you come there) can any way facilitate the thing; we will certainly use our utmost endeavours here to promote it.

What you have advised us about the obstinacy of the Jerseys in the business of Perth Amboy is in our opinion a matter of great weight, and we should not have neglected one honr in putting some order to it, but that we observe by the papers which you have sent us how they found their claim, cheifly upon certain commissions or orders from the Commissioners of his Majesty's customes here, under the direction of the Lords of the Treasury in pursuance of the Act of the 25th of King Charles the Second; which hath obliged us to seek some information from them, unto which we have not yet received answer; but we shall make all the expedition therein that is possible for us, and in the mean while we can not but advise your Lordship strictly to pursue his Majesty's instructions which you have already about that matter.

We are very sensible of the inconvenience which your Lordship advises us to have happened upon the recalling of the Fowey frigat by particular directions to the Captain without any advice to your Lordship or deference therein to your authority; which as we suppose your Lordship hath represented to the Lords of the Admiralty, so we hope they will in future occasions take care to prevent the like. But however as for the want which is thereby occasioned of a man of Warr to attend his Majestys service in that Province, as there is the like want also in some others; we are now preparing a representation upon the whole, that such ships may be sent to each place as seems necessary, in which we will be mindfull also of your Lordship's desire that one of those to be sent may transport your Lordship to New England, tho' we cannot promise ourselves that such a ship will be so soon ready as that you ought thereupon to neglect any other opportunity of repairing thither, when you find that the state of his Majesty's affairs under your conduct do's require it.

Your Lordship's letter of the 24th of October is cheifly about the Forts and Fortifications necessary to be built upon the Frontiers, and you therein promise in your next to propose a fund for that charge. Accordingly in your letters of the 8th of November you write that you are apt to beleive that Colonel Fletcher's debt (if a strict audit of the publick Accounts and survey of the buildings were made) would be found to be more that sufficient to build the two Forts at Albany and Schenectady. This being therefore a matter that requires further inquiry (and for which reason we again recommend that inquiry unto your care) we are forced to suspend awhile our determinations thereupon, and consequently the propositions also which we should otherwise thinke very fit to be made about those fortifications, for want of the prospect of a ready fund out of which to supply that charge.

We have received the Mapp of the Province that your Lordship hath sent us, which seems to be very exact and will be of good use upon all occasions. But the printed collection of laws that you have sent us, is not so perfect as it ought to be: not only some of the Acts seeme to

be misplaced, in respect of the order of time in which they were past, but there are also in some places leaves wanting, which breake the sence. We intreat your Lordship therefore to let another collection be made with more exact care and transmitted to us.

Upon what your Lordship desires in your letter of the 21st September last about the mustering of servants, we are not able to give any directions at all; only we send you here inclosed a copy of his Majesty's orders about that matter which we refer unto your consideration.

What remains in your Lordship's letters not now answered shall be the subject of our next. We are

My Lord

Your Lordship's most humble servants

signed— J. Bridgewater
Ph. Meadows
Wm Blathwayt
Jno Pollexfen
Abr Hill.

Whitehall
Jany the 5th 169⅞.

Reply of Mr. Weaver to Colonel Fletcher's Answer.

[New-York Entries, B. 225.]

Memd'm All the Papers that are referred to as Proofs in this reply, are the same that are quoted under each head respectively in the Margint of ye Repn relating to Coll: Fletcher's conduct in the Govn't of N. Yorke. fol. 1.

Proofs of the Heads of Complaint relating to Colonel Fletcher's conduct in the Government of New Yorke. With a Reply to the answer given by Colonel Fletcher to the said charge.

Humbly offered to the consideration of the Right Honourable the Lords Commissioners of the Council for Trade and Forreigne Plantations.

Articles 1. 2. 3. 4.

prooved by
- Burges's Deposition
- Taylor's Deposition
- Minutes of Council about protecting Pirates
- Act of the Country agst Pirates
- Staat's & Lewis' Depositions
- Minutes of the Councill Extraordinary.
- Protections of Lewis Potter and Rynderson
- Attorney Generalls memorials about Coats Tew and Hore.

The answers to these heads of complaint are bare allegations directly contrary to positive depositions and other proofs.

Colonel Fletcher excuses his protecting of the Pirates of the Ship Jacob, as being ignorant that they were pyrates, and that he did it in compliance with the importunity of the Council on important reasons of State. But the fact is proved otherwise by Taylor's deposition, who swears that he acquainted Colonel Fletcher that the ship had been in the Red Sea and had taken treasure from the subjects of the Great Mogull. And the minute of Council saith expressly that he proposed the matter himself to the Councill for their concurrence, that these

privateers should have the benefit of the mercy of the Act of the Country, and the Councill agreed only to that particular that they could not be denyed the benefit of that Act; so that by the record it appears apparently false that Colonel Fletcher ever convinced the Council that these men had no benefit by this Act or ever attempted it, but expressly the contrary. Nor are any such reasons of State taken notice of in the said minute, as reasons for incouraging these privateers to come in, nor was there any occasion for such reasons then, whatever use Colonel Fletcher hath now of them for his defence) for that it was the joynt opinion of Colonel Fletcher and Councill that the Act of the Country gave them that benefitt.

It is observable that Coll. Fletcher excuses and shelters himself under the unanimous opinion of the Councill, when that Councill were so influenced by him as seldome to deny any thing he proposed to them, and two of them (who were then present) viz^{t} M^{r} Nicolls and Colonel Bayard, are now discovered to have received rewards themselves for gaining Protections for Pirates from Colonell Fletcher. and even for transacting the same for this very crew, M^{r} Nicolls received the summ of eight hundred dollars; as appears by the depositions, and M^{r} Nicolls' confession before the Earl of Bellomont.

Colonel Fletcher positively denyes that he made any agreement or had reward for protecting these pirates except their ship. Whereas the deposition of Taylor says expressly that an agreement was made with him for seven hundred pounds to be paid him for the Protections and that the ship was given him in lieu of the said payment. D^{r} Staats and Alderman Lewis their depositions prove what reward Colonel Fletcher had for Rynderson and Lewis's protections, by Colonel Bayard's means, who had likewise himself a reward for the same. And it appears by the Attorney Generall's Memorial about Coats, that many other protections were given altho' not certainly known what they cost, but that the common price was known to be one hundred Dollars per man.

Colonel Fletcher owns that the ship was publickly given him as a present by the owners, and gives the reason of his acceptance of her, for that she lay under no forfeiture, condemnation or arrest. Whereby he confesses his neglect in not seizing her for the King when he was fully informed by Taylor that she had committed pyracy, as appears by his deposition.

Colonel Fletcher saith he never touch'd the eight hundred pounds the ship was sold for, but that it was honestly paid to the victuallers of the Forces. Yet acknowledges that he ordered the Agent of the Forces in England to returne the value thereof into Ireland for his private use when he should receive it out of the Treasury in England.

Colonel Fletcher reflects on the method of taking depositions against him, as if threats were made use of. But the contrary is well known to your Lordships, that the evidence of Taylor and Burgess were obtained by promisses that there would be intercession made for his Majesty's mercy to them, if they should accuse themselves in discovering their practices with Colonel Fletcher; who otherwise were unwilling to disclose the same; and of this the Earl of Bellomont hath given an account in his letters to your Lordships of the 18th May 1698. And therefore it is presumed that Colonel Fletcher can produce no credible evidence of such threats, but makes use of the suggestion to discredit the proof.

Colonel Fletcher's misfortunes under the common calamity's of Ireland may raise pitty, but never excuse his taking rewards to protect pyrates and not seize their ship, which made it capable of being made a present to himself; and yet this is his last and strongest part of his defence to this part of his charge; only adding this severe question WHAT GOVERNOUR UNDER SUCH CIRCUMSTANCES WOULD NOT DO THE LIKE? To which it may with truth be replyed that

the Earl of Bellomont the present Governour of New Yorke hath suffered more and had greater misfortunes in Ireland as well as personall prosecutions even at the time that Colonel Fletcher was not disturbed in his patrimony, and from that power that prefer'd and advanced Colonel Fletcher. Yet the Earl hath not been prevailed on to act contrary to the interest of the trade of England, or to violate his Majesty's strict and repeated instructions to discourage pyrates, and hath therefore refused a present of five thousand pounds offered to him to grant protections to one company of pyrates, as Mr Weaver can attest, who was likewise promised one thousand pounds for his negociating the same. This offer was made by one of Colonel Fletcher's friends and (as is beleived) one of the subscribers to the certificate of his honourable deportment in that Government.

So that (with submission) the charge of protecting the pyrates of the ship Jacob appears fully proved on Coll. Fletcher. What part he denies of it is fully proved by the depositions and minutes of Councill. The rest confessed, with labour'd and artificiall colourings and palliations.

5.

The Fifth Article is likewise confessed that no security's for protected persons are to be found amongst the publick papers of that Province, and the reason given for it is because at the expiration of a year and a day the bonds were given up. To this it is replyed that no such bonds were ever deposited with the Secretary of the Province, who keeps the records of that government, as he declared on his examination before the Earl of Bellomont.

So that it still remains a charge on Colonell Fletcher to prove that such bonds were given by sufficient persons and where such bonds were lodged during their being in force.

Colonel Fletcher excuses the non prosecution of the bonds, because no complaints were brought before him whereon to ground a suit. To which it is replyed, that where bargains are made and money so publickly given to Governours for protections, there small incouragement is given to gain evidence to make discovery's, and is a sort of forbidding prosecution. And common reason tells us that there is just ground of suspicion, and good cause to search for evidence of their guilt, whose terrour of mind makes them apply with a price to a Kings Governour to obtain that protection of the King's laws which every subject is sufficiently intitled to by birth and the oath of allegiance. And in this case besides the particular information Colonel Fletcher had from Taylor, common fame and the generall publick knowledge of these pyrates make it difficult to be beleived that a Governour could be ignorant, who was not bought to be so; which is the true reason why the Earl of Bellomont hath receiv'd such full informations about these matters.

6.

Proved by { Wick's deposition, Reyner's discharge, De Peyster's Oath, The Sheriffs Letter, Emotts deposition, East India Company's Memo[ll]

Colonel Fletcher in his answer to the fourth Article declares he never had any reward for any commission or protection. And yet in answer to this he doth not deny that he gave a discharge for Reyners treasure seized by the Sherrif and a protection for his person, and accepted a present of fifty pounds, but excuses it by saying, — "If there were a treasure he might have

been suddenly rich by it and not complained of now." Which (with submission) doth not appear so very intelligible a reason for taking the fifty pounds but rather to insinuate the improbability of what he doth not deny to have accepted.

It is very obvious that Rayner being utterly a stranger to Colonel Fletcher had no occasion to give Colonel Fletcher fifty pounds for a discharge of his chest and a protection for his person, if his treasure and person were not both in hazard on a due prosecution. Nor could Colonel Fletcher legally order restitution of a treasure seized by the Sherrif on suspicion of pyracy, which by law the Sherrif had power to seize and which ought to have been discharged by due course of law; nor doth it appear that Colonel Fletcher made any inquiry into the matter, summon'd the Sherrif or examined any witness about it, but at the single instance of Rayners friend Wick (who was introduced to Colonel Fletcher by one Emmott, an intimate friend of Colonel Fletchers and now his attorney at New York) and a promise of fifty pounds reward a discharge for the chest was obtained without any security's taken to answer any process at Law. So that this pyrate escapes as others did in Coll. Fletcher's Government, not one of them being ever convicted or prosecuted on their returne thither from whence they set out, of which they were assured, and made their publick braggs; as appears by the Memoriall of the East India Company.

7.

Prooved by—Lieutenant Hutchins, and his wive's depositions.

Colonel Fletcher hopes the truth of this will be discovered. And it is presumed that it is so by Captain Coates his declaring in the presence of the Deponents that his protection cost him thirteen hundred pounds to Colonel Fletcher.

8.

Prooved by { Record of the pyrats Commissions
Attorney Generall's Memoriall about Tew & Hore
Common fame and the publick knowledge of the Inhabitants of New Yorke.

Colonel Fletcher gives the opinion of the Council as a reason for granting them Commissions; which is rather an aggrevation then excuse; for Colonell Fletcher well knew that most of the Councill were trading merchants, and it hath since been discovered that severall of them were concerned in the cargo of the ship Fortune which arrived at New Yorke from Madagascar laden with East India goods taken out of Hore the Pyrates ship; which advantage they could never have had if Colonel Fletcher had not granted Hore this Commission. And both Tew and Hore publickly declared for the Red Sea, and that they would make New Yorke their Port at their returne; which as it ingaged men to follow them, so it sufficiently ingaged these Councillours to consent to their having commissions altho' they had no ships then in the government of New Yorke.

Colonel Fletcher saith likewise that he gave them commissions for their bravery and courage, which are truest qualifications for great mischeif in these men, who were known to be of no morralls, but of the most dissolute principles as well as lewd and infamous behaviour. And it is generally reported by the inhabitants of New Yorke, that to Colonel Fletchers own knowledge and in his own company they have violated the laws of God and man by drunkenness, blasphemy & swearing. Tew was known to Coll. Fletcher to have been a pyrate before (which is seldome

without the stain of murder) and yet Colonel Fletcher intrusts him with another commission on the credit of his pious oaths never to practice it again. Hore was much given to drunkenness and swearing, yet (as is generally reported at New Yorke) commanded Colonel Fletchers cellar and servants and committed excesses of debauchery in the Government house and company. Yet these scums of the people for birth principles and practices are entertained by Colonel Fletcher with the warmest caresses, high drinking and commissions. And it is naturall to beleive that these favours were bestowed for better reasons then Tew's being a pleasant man and Colonel Fletcher's wishing to make him a sober man by a present of a book (which it may well be presumed he never made use of, and a gunn) which it is beleived he made use of in pyracy.

Colonel Fletcher likewise excuses his familiarity with these men as becoming his character, being hospitable, and indeavours to justify himself by insinuating that worse have been and still continue to be done by others. The reflection (if designed on the Earl of Bellomont) is most unjust; who though he exceeds in hospitality all that ever was before him in that government, yet never admitts excesses of drunkenness nor the blasphemous profanity of pyrates in his house or at his table, never gives them commissions, takes rewards for their protections, values their conversation and then gilds over the matter with the name of hospitality and the specious design of converting them.

10.

Prooved by { Record of Moston's Commission; Charter Party of Freighters; Bonds given for performing instructions. — Condemnation of the ship Fortune in the Admiralty; Paintree's deposition.

Colonel Fletcher owns that he knew that the ship Fortune was designed for a trading voyage and yet grants a commission for her to Captain Moston under colour of which she loaded without entry at the Custom house, and had a pretence to avoid being seized for being an unfree bottom, whereby she loads with goods proper for the pyrates as drink gunpowder and lead &c goes to Madagascar, returns laden to New Yorke with East India goods taken out of Hore the pyrat's ship commission'd by Colonel Fletcher.

It is indeed most proper for Colonel Fletcher to deny that he knew that she was an unfree bottom but he then certainly was the only person in New Yorke that was ignorant of her being a Dutch privateer under the command of Captain Daniell a Dutchman with a Dutch Commission, who hired her out to these merchants.

Nor is it strange that the Council should consent with Colonel Fletcher to grant this unfree bottom a commission; for that on her returne (when she was seized by the Earl of Bellomont's order and condemned for it) his Lordship was well informed that two and twenty of the principall merchants of the town and severall of them of the Councill, together with the Secretary, and Clerk of the Council were concerned and interested in the cargo. Which seizure disgusted them to the last degree against the Earl of Bellomont and was a great argument or motive of their certificate in favour of Colonel Fletcher, whose government never gave them a disturbance of that sort.

11.

Prooved by { Bonds of the Pyrate Captains
Depositions of Smith, Sharpas, Wenham and Syms about Honan's rasure.

The matter of fact cannot be denyed by Colonel Fletcher to be true, but he would avoid the blame by pretending it did not belong to him to take care that the securitys were sufficient, which without doubt it properly did, if he had a just regard for the King's service and a care to prevent those who had been pyrates before, from being pyrates again; he then would have taken care of himself or have intrusted some in authority to do it; but instead thereof he leaves the whole matter to his clerk Honan, who with the pyrates Tew and Hore and an old Irish taylor, a beggar, are joyned in two bonds of three thousand pounds each, the bonds are left in Honan's hands, and on the Earl of Bellomont's arrivall at New Yorke are delivered up with the name and seal of Honan rased out of both bonds, and so the securitys given to the King utterly defeated, who otherwise might now be prosecuted on these shipps committing pyracy.

12.

Prooved by { Accounts of the revenue
Mr Randolph's Memoriall.
Minutes of the Councill about the ship Elizabeth.
Commission of the ship Fortune
Proofs about the Bolting Act
Colonel Beckman's Oath.

Colonel Fletcher endeavours to evade the charge that the revenue decreased whilst trade increased at New Yorke, and lays the occasion on the alteration of trade. But this disguise is easily taken off, by considering that the Customes did decrease and at the same time the Province never better supplyed with plenty of East India goods, and European goods from Curasao and Scotland, which by connivance or negligence were never seized, except in the ship Elizabeth about fifteen hundred pounds worth of Scotch goods were seized which were discharged by Colonel Fletcher and Councill without tryall after she had been libell'd in the Court of Admiralty.

By these forbidden and illegal trades so conniv'd at, the trade from England was lessen'd, the City of New Yorke grew rich, but the Customes they decreased.

This decrease will undeniably appear to be by connivance and not by decrease of trade by comparing the entries of ships inwards and outwards of the severall quarters by which it will be plaine that the customes of New Yorke for the last Michaelmas quarter are two fifths more than of the said quarters for three years before and yet the entryes of ships inwards and outwards are far less, which may well be imputed to the greater care of this present Governour then of the last.

The City of New Yorke could not possibly grow rich by the Trade they had with the West Indies (as is suggested) for that is cheifly in flower; for that by Colonel Fletchers passing an Act called the Bolting Act (which gave liberty to the whole Province to bolt flower which before was restrained to the City of New Yorke, and thereby a care taken to prevent adulterating it) the price and value of New Yorke flower fell five shillings in the hundred below the price of Pensylvania and other flower, at Barbados and the Sugar Islands.

It likewise appears by the depositions that four hundred pounds was contracted for to be paid to Mr Nicolls (one of Colonel Fletcher's cheif Councellors and intimates) by the Country

of Sopus, to obtain the said Act, and one hundred pounds was actually paid him on that account on the very day that Colonel Fletcher and his Councill passed the said Act; so that the City of New Yorke could not grow rich by this trade.

Beside Colonel Fletcher forgot what he affirms in the introduction to his defence, that the Colony never had more trade and plenty then when he left the place; and yet here he excuses the decrease of the customes by the decrease of the trade from Europe.

But these are strong inducements to beleive that Colonel Fletcher connived at forbidden trade, by his commission to an unfree bottom, viz^{t} the ship Fortune afore mentioned, the numerous entryes of ships inwards and outwards at New Yorke, and yet a decrease of the customes; the illegal discharge of the Ship Elizabeth afore mentioned; connivance at the ship David a Dutch ship's being laden with provisions; the great quantitys of European goods the City was always furnished with and yet the Customs less; Colonel Fletcher never did constitute a Register as the Act of Parliament appoints; never constituted a Naval Officer to be a check on the Collector and illegal trade; and as a closing conviction, the whole body of merchants of New Yorke finding their account by the lessening of the revenue have joyned in the certificate (Colonel Fletcher mentions) to commend his just government under which they received so great advantage.

It is likewise matter of fact undeniable that there have been more seizures of goods made for breach of the Acts of Trade in the first six months of the Earl of Bellomonts government of New Yorke then in the near six years of Colonel Fletcher's: which hath raised the spleen of the merchants so against the Earl, that as they give him all the trouble and vexation in his government and raise all the calumnys of him here, so it is credibly informed that they have raised a summ of money by contribution, which they have sent for England there with to apply privately at Court to get the Earl removed from that Government, or, if that cannot be done, to procure the place of Collector of the Customes for some person that will winke at their illegal trade, whereby they gott their riches and in which they are now interrupted.

13.

Prooved by	Attorny Generall's Memorial about grants of land	Ranslaers grants
	The plat of lands and lists of grants	Patents of King's Farm and King's Garden.
	Mohacks Henry, Joseph, & Interpretress's depositions	Charter of Dutch Church
		N^{o} 7. referr'd in letter 21th Oct. 1698.

The Plat of the Province and the list of the lands granted by Colonel Fletcher will demonstrate that it is apparently untrue that almost all the valuable lands of New Yorke were granted away before his entring on that government.

It is likewise incredible that Colonel Fletcher did not know that the grant to Colonel Heathcote was part of the Kings garden, for that the words of the grant are, PART OF OUR GARDEN.

The deceit used by M^{r} Dellius in the grant of the Mohacks lands is discovered in the depositions of Henry and Joseph, Indians, and the Interpretess all Christians, and in the printed conference of the Indians with the Earl of Bellomont.

The King's farm was leased out by Colonel Fletcher even when my Lord Bellomont was known to be on his voyage for New Yorke, as most of the other great grants were, after the

Earl's designation to the government. Colonel Fletcher assumes the glory of building Churches which never was imputed to him as a crime, if it was true; but the Church of New Yorke was not built by him, but by a contribution of severall even of the French and Dutch Churches aswell as English, and an allowance of one hundred pounds p^{r} ann^{m} given to an English Minister by an act of the country, which is levied, the greater part of it, on Dutch and French inhabitants. Therefore there was no necessity to lease this farm to the Church Wardens, nor to call this lease a building of Churches, and make that the pretence of hindring a succeeding Governour from the beneficial use of the farme for the conveniency of his family.

Besides Colonel Fletcher accepted a considerable present of plate for granting a Charter to the Dutch Church of that City, as appears by their Church Books.

Colonel Fletcher saith he never had any reward for grants of lands, but common report at New Yorke saith otherwise and particularly that Captain Evans gave one hundred pounds for his grant and the Earl of Bellomont's letter to your Lordships of the 8th of Nov^{r} 1698. speaks of two or three grants that he hath discovered to be bought after such a rate that Colonel Fletcher may be supposed to have gained four thousand pounds by grants of land, and reserved no considerable Quit-rents to the King, as appears by the grants: No regard was had to the great quantitys of land, for that M^{r} Dellius who was one of the grantees of the Mohacks land, has, in lands granted to him, the quantity of seven hundred thousands of acres.

Colonel Fletcher lays the blame of all defects in the grants on the Attorny Generall; but he was excluded from attending the Council by Colonel Fletcher's order, and seldome any reference made to him on petitions for grants of land, (as was usuall in other Governour's time) but had positive orders to draw up grants of land after the manner the Governour commanded him; the whole proceedings of which he sets forth in his Memorial.

15.

Proovedby { The Musteroles — Lists of men that received not the County bounty
Lieutenant Bulkley's Depositions
Certificate of the Disbanded Men. — Accounts of the Victualers and their Certificate.

He positively denys the charge, but it is prooved by the Victualer's lists which do not agree with the numbers in the musteroles, which is a fraud of £1496. of the King's money, by defective men.

It likewise appears by the Victualer's Accounts that he allowed but five pence p^{r} day for a soldiers subsistance and yet gives no account of the overplus.

Colonel Fletcher for some time obleiged the victuallers to pay him yearly ten shillings p^{r} man for each soldiers subsistance, which made their subsistance so much the worse.

There is likewise a list of twenty odd men in his own Company who received not the Country's bounty as there are lists of other Companyes to the same purpose and yet the bounty of the Country was paid to Colonel Fletcher in order to be paid to the soldiers, but the neglect in this point caused severall to desert, whereas this bounty would have procured them cloaths, which Colonel Fletcher owns the want of made many desert

Colonel Fletcher likewise refused to pass the Act of Assembly to punish Deserters, so that their not being terrified from it, gave him the advantage of the pay due to them, and the Country bounty due to them to the time of their desertion.

But to hide the weakness of the defence to this article of the charge, it is invidiously insinuated that the Earl of Bellomont deferr'd the sending of the soldiers cloaths when he had received tallyes for fifteen hundred pounds for that end.

It is true his Lordship received talleys for fifteen hundred pound, which was paid him in Malt ticketts whereby he lost twenty five £ per cent, which made the summ so deficient that his Lordship was forced on his own credit and bond to raise seven hundred pounds to be able to carry cloathing to the Soldiers (which he did and the best they ever had there) and his Lordship at this present time pays interest for the seven hundred pounds.

Colonel Fletcher likewise recriminates that seventeen of his company recruits from England were disbanded by the Earl without the Cloaths they served for, and that they cry to him. This is untrue, for but seven were disbanded, and those such as had petitioned to be discharged for their lameness or age, and unable to doe further service, as appears by the certificate of the Lieutenant of the Company. They did indeed demand cloathes which my Lord could not give them for the cloathes were not arrived then at New Yorke, and when the cloathes came some of those disbanded were gone, but others who stayed at New Yorke had about four pounds p^{r} man allowed them as the value of their cloathes, which was justly paid them and so it is hoped no room left for Colonel Fletcher's compassionate complaint against the Earl of Bellomont.

16.

Prooved by { Colonel Romar's letters / Report of the Fort of New York by Coll. Cortlandt / Printed Conferences with Indians referred to in letter 14th Sept^{r} 1698. } N^{o} 2. of the Manuscript referr'd to in D^{o} about Cadaraque Attorny Generals Memorial about Frontiers.

The printed Conferences with the Indians and other papers refer'd to in the letter of the 14th of Septemb. and the 12th of November 1698. do undeniably demonstrate that the Fortifications were neglected to the last degree; that Colonel Fletcher broke his promise to the Indians to destroy Cadaracque and hinder it's resettlement of the French; that he never raised the forces for which he received money raised by the Assembly, but instead of three hundred men which were appointed he tooke with him but eighteen men of his own Company from New Yorke; march'd to Schenectady when he had intelligence the French were retreated and never saw the enemy; returned to New Yorke and never replac'd the garrisons in the Half Moon and in Quenestigione which were with drawn on the invasion of the French nor left any orders with the Commander of the Forces he left behind at the Frontiers (as Colonel Ingolsby can attest.)

And whereas at Colonel Fletcher's arrivall to the government the Out garrisons of the Half Moon and Quenestigione did secure all the Frontiers, so that the enemy made no insults but the Inhabitants remained on their estates and plowed their lands; yet after his arrivall viz^{t} in the years 93. 94. and 95. in which the Assembly intrusted Colonel Fletcher to raise recruits to secure the Frontiers; then those out garrisons were withdrawn, and no orders given by Colonel Fletcher to the commanding Officer there to send out any scouts whereby the enemy surprised the out settlements, left them dessolate, and destroy'd, tooke Captive and kill'd and scalp'd many of the inhabitants. To remedy which neglect of Coll. Fletcher, the Assembly of the Province in the years 96 & 97. raised money, and (although they were no soldiers) took on themselves the security of the Frontiers and made Commissioners to send out scouts to

discover the enemies; whereby the design to cut off Kinder-hook was prevented and the enemy cut off. Nor was any damage done afterwards to the Frontiers altho' the Garrisons were then weaker then ever they were before.

The Fort at New Yorke, some hundred of miles off the frontiers and the enemy, had indeed some reparations but yet was in a miserable condition at the Earl of Bellomonts arrivall, and this notwithstanding some thousands of pounds alleadged to be laid out on it by Collonel Fletcher, as appears by Coll. Cortlandt's report of it.

The Forts of Albany and Scenactady in much worse condition as appears by Collonel Romer's Report.

The Companys of Soldiers not half full notwithstanding the great sums raised by the Assembly to raise recruits and the great sums contributed by the neighbouring governments, yet scarce a man rais'd but the money converted to some other use by Collonel Fletcher.

Thus the Frontiers were destroyed, the Indians disgusted and dispersed and many of them lost; many plantations left desolate by the captivity killing and deserting of the inhabitants.

In deed the land is where it was for the French did never resettle it, so that his Majesties subjects may returne to it; and in this sense it is supposed Collonell Fletcher means that his Majesty lost no part of his dominion under his administration.

Last Article.

It is confessed that Collonel Fletcher did not write to the Governor of Montreal but sent notice only of the peace; because he had not orders from Whitehall, nor did he send to the Governor of Canada nor could he write to him in the French tongue.

If the omission be justified by these reasons yet the not writing to either of them either in English or French was the occasion of their resentment and had a very evill consequence, for that severall of our stoutest Indians were destroyed by the French Indians before the Earl of Bellomont's letter reached the French Governor's hands, who beleived they were not obliged to cease from acts of hostility or hearsay, and before the peace was signified to them from their own Prince or at least by letters from an English Governour, which they would have had regard to. Which Colonel Fletcher neglected to do for want of knowledge in the French tongue, altho' it is presumed his letters might have been sent in the same language of his message.

Conclusion.

The proofs of fact are Collonel Fletcher's accusers to your Lordships, and not two Scotchmen (as he suggests) altho' being Scotchmen would be no discredit to their evidence.

The Earl of Bellomont doth leave it on your Lordships justice whether he deserves the reflection on him insinuated by Collonel Fletcher of being too late in giving your Lordships the needfull informations for His Majesty's service, the peace of the Colony of New Yorke and the preservation of our Indian friends; or whether you will rather please to give credit to Colonel Fletcher's informations.

It is submitted to your Lordships wisdome whether Colonel Fletcher's answer to the charge against him doth intitle him to be discharged from the accounts of all publick moneys intrusted to him at New Yorke, where the Earl of Bellomont could not doe less then to require security

from him, both on his Majestys account and to quell the general cry and dissatisfaction of the people who were so loud and large in their charges against him in relation to his perverting of publick moneys.

And it is with great reason expected that an Assembly in New Yorke fairly chosen and justly returned, will examine the publick accounts and make a charge against Colonel Fletcher of many thousands of pounds, converted by him to other uses then they were raised for. As there will be likewise accounts of large sums belonging to his Majesty and the forces there, for which he hath not yet accounted; of which your Lordships are already informed of severall of the particulars.

Thus in obedience to your Lordship's commands and in behalf of the Earl of Bellomont and the Province of New York, for his Majestys service, I have to the best of my understanding drawn up a reply to Colonel Fletcher's answer to the heads of the charge exhibited against him, according to what I could collect from the proofs; which is nevertheless humbly submitted to your Lordships great wisdomes, by

May it please your Lordships
Your Lordship's most humble Servant
T. Weaver Agent for the
Province of New Yorke.

January 9th 1698.

Proceedings of the Lords of Trade in the Case of Colonel Fletcher.

[Journal, XI, 346-360.]

Whitehall January 20th 169$\frac{8}{9}$

At a Meeting of His Majety's Commissioners for Trade and Plantations.

Present—Earle of Bridgewater		Mr Blathwayt
Earle of Tankerville		Mr Pollexfen
Sir Philip Meadows		Mr Hill.

New Yorke Coll. Fletcher's hearing.

This day being appointed for the hearing of Colonel Fletcher's business, Mr Weaver attended on the one side with Mr Atturney General as Council for the King; On the other side Colonel Fletcher with Sr Thomas Powis as Council for him.

Mr Atturney propounded that the method of proceeding in this matter might be by considering distinctly the several Heads of the Complaints against Colonel Fletcher's conduct in the Government of New Yorke, which had been delivered to him in the same manner as Colonel Fletcher had divided them in his answer thereunto; Which being agreed upon, The 1. 2, 3, and 5th Heads of that Paper were read: And after that, those Articles of his answer, which relate thereunto together with the preface unto the whole.

The Mr Atturney in opening the matter, produced in confirmation of those Heads the following Papers, which were all of them read vizt

The Deposition of Samuel Burgess.
The Deposition of Edward Taylor.
A Minute of the Council of New Yorke of the 7th of April 1693.
An Act of the General Assembly of New Yorke for restraining and punishing Privateers and Pirates.
The Atturney General of New York's Report about Coates the Pirate.

And upon the reading of these Papers Their Lordships enquiring about the security that had been taken for the Protections therein mentioned, Mr Weaver informed the Board that he was present when the Secretary of the Province declared to the Earle of Bellomont that no securities taken for the men belonging to the ship Jacob were ever committed to his hands.

To these things Sir Thomas Powis answered, First, by a complaint of hardship in that their Lordships had not thought fit to let Colonel Fletcher have Copies beforehand of the Papers now produced against him: To which Mr Atturney replied that it would have been contrary to the method of proceeding in all such like cases. Then Sir Thomas argued That since the time when those things were don, there have some Acts of Indemnity been pass'd in England, which tho' they do not positively extend to these things don in America, yet the reason for not prosecuting things so long past might be the same. He added also that by the papers now produc'd he saw it would be necessary for them to desire time to send to America to get counter evidence, as he said Colonel Fletcher had already desir'd by his Petition to this Board: But producing a copy of that Petition Mr Atturney observed that there was no such thing in it. Sir Thomas Powis argued further, from the Atturney General of New York's forementioned report, that he was himself criminal in not prosecuting Pirates; He pleaded, in Colonel Fletcher's vindication, the many addresses made unto him (whereof some since he was recalled) by the Inhabitants of that Province commending his Honourable and Worthy Conduct. And in answer to Taylor's Deposition, he said that Taylor had himself declar'd he was forced to make it; And then desired some persons now present might be heard.

Thereupon Colonel Bayard informed the Board that Taylor had told him he was impos'd upon in making that Deposition, and could not avoid it, but did not well know what he had said. Upon the forementioned Minutes of Council, Colonel Bayard also said that he was himself then a Member of the Council and present, and that the matter was freely debated by them. They were not over aw'd in it by Colonel Fletcher, but were unanimous in their opinion that the men belonging to the Ship Jacob should be admitted. Being asked about their Method of keeping the Minutes of the Council there, he said that they are very seldom read in Council, and doth not remember that he ever saw the Minute now produced till his being now in England. He went on complaining of the Earle of Bellomont's undue method in forcing witnesses to swear, and instanced in his requiring Colonel Beckman (on another occasion) to make oath to answer whatever should be asked him (tho' he were himself concerned in the business of that Enquiry) with threats to send him to Goal in case he refus'd. Being asked what information the Council had concerning the ship Jacob, and her having been upon a piratical voyage, and how they come to admitt her (as it is entred in the foresaid Minute of Council) as within the foresaid Act for restraining and punishing Privateers and Pirates; He answered that it was greatly suspected the said ship had been at the Red Sea; That they rely'd upon the information they had from Mr Nicoll, who said he had it from Taylor, and made no Enquiry at all about the matter. As for the Act, he said he remembred indeed it was discoursed of;—But does not know why the Minute was entred in that manner.

After this Captain Evans being produced as a Witness that Taylor's deposition was forced; The deposition, lately made before a Master in Chancery by him the said Captain Evans upon that subject which had been sent hither some dayes ago by Colonel Fletcher was read.

Mr Chidley Brook was next offered to inform the Board about this matter, who said, That he had heard Mr Nicolls had acquainted Colonel Fletcher with the desire of Coates's men; And the thing was thereupon laid before the Council, in the Debate of which there was no manner of force upon them. He said he had heard also that security was taken for those men upon the granting them Protections. Being asked what it was that ship brought, and how it came she was not seized upon, and if there were no settled course or method there of examining into the truth of such suspicious matters; He answered that they were informed only that the men had got money; That there was a suspicion they had been at the Red Sea, but no evidence: And added, that the reason of admitting them was, lest upon refusal they should have gone away to some other country; And that the forementioned Act was not the reason of it. It was then asked whether any Order were made for inquiring about the ship and men, where they had been, and what doing, or taking any depositions relating thereunto; To which Colonel Bayard answered, No; There was no examination made, And he being then asked about the security said to be taken for these men in giving them their protections; He answer'd that it was the duty of the Secretary who gave the Protections to take those Securitys; Which Secretary, he said, was not the Publick Secretary of the Province, but Colonel Fletcher's Private Secretary, by name Mr Daniel Honan. And being further asked, the reason why these men sought for Protections, since any honest man might safely come into the Province and reside there without any such protection; He answered, that it was that they might be secure from being. press'd aboard His Majesty's Men of War which were then there. But at the same time repeating the substance of those Protections which import only the Protection of the Law so long as the Persons to whom they are granted live ameanable thereunto, It was observed that they had no manner of relation to the pretence of securing Men from the Press.

After this, Sr Thomas Powis further produced three Affidavits, made lately here before a Master in Chancery, by Benjamin Aske, Jacob Mayle, and Mathew Ling, which were read; But withdrawn, as relating more to other matters than this.

Then Mr Atturney General (in further observation upon what had now been said to invalidate the forementioned Depositions produced by him) argued that it is impossible to have any information in such like things, but from the Persons concerned in them; And desired Mr Weaver might inform the Board what he knew concerning the Earle of Bellomont's carriage in taking those Depositions. Whereupon Mr Weaver said, that none but himself and the Atturney General of the Province were present when Taylor's Deposition was taken. And that all the inducement the Earle of Bellomont used to oblige him to declare his knowledge, was a promise that if he did it ingeniously his Lordship would intercede with the King for his pardon, And as for the instance Colonel Bayard had given of Colonel Beckman's being required to make Oath to answer such questions as should be asked him; He said that both the Atturney General of that Province and himself had given their Opinion to the Earle of Bellomont that Colonel Beckman was obliged (as any man might be, especially in matters of state or other high concernment) to give evidence in what did not concerne himself criminally (which was all required of him) And that Colonel Beckman had accordingly afterwards don it.

After this the 4, 6, 7, 8, 9, 10, 11, and 12 Articles, in the forementioned heads of Complaints against Colonel Fletcher, were read; together with his answer thereunto as before.

Then in Confirmation of the fourth Article Mr Atturney produced the Depositions of Dr Samuel Staats, and Alderman Leonard Lewis, which were read.

To the 6th Article he produced the Deposition of John Wick; The Deposition of Colonel Abraham De Peyster; Reyner's discharge; A letter from Sherif Hobbard to the Earle of Bellomont; And the Deposition of James Emott; which were all of them read; And together with those was produced a Memorial of the East India Company whereof that part which relates to Captain Tew's former Piracies, was also read; And being about to proceed, Sr Thomas Powis desired he might first have leave to answer to what had now been produc'd.

Then Colonel Bayard being desired to informe the Board about the matter of Dr Staats and Alderman Lewis's Depositions, in which he himself is named to have been the Transactor, between Colonel Fletcher and them; He said that upon the proposition made him by Alderman Lewis (his neighbour and friend) for obtaining the Protections therein mentioned, he writ to Colonel Fletcher, who was then in Pennsilvania; And receiv'd answer from him that he would make no bargain about that matter; Expressing himself, that Colonel Bayard knew it was not his principle to make any such Bargain; but that in sending him the Protections desired; Colonel Fletcher added that they might make what present they pleased. Being asked the reason why Protections were desired for these men, he said (as before) that it was to Secure them from being press'd; He said also that he does not remember Dr Staats was with him, but only Alderman Lewis, And that the said Lewis told him the persons for whom Protections were desired had been abroad rambling, but did not say they had been with Captain Tew. The money mentioned in those Depositions he own'd to have receiv'd and said that he paid it, after Colonel Fletcher's return to Mr Honan. Being asked what were those pieces of Arabian gold mentioned in the said Depositions, and if they were a known currant money in that Province; He said their value was about two Dollars a piece;—that they were not the currant money of the Province; but were now pretty common there, and had been so since the arrival of Captain Coates aforementioned not before.

In answer to these things Mr Atturney produced a Copy of the Protection to Barnard Rinderson, mentioned in the said Depositions; Which being read was found to be agreeable to what Colonel Bayard had before repeated of the common form of those protections, but wholly foreign to the reason which he gave for the desiring of them. Then Colonel Bayard being asked what security was taken for these men, in delivering their Protections; He said that Colonel Fletcher indeed had ordered him to take Security; but the persons who applied for those Protections being his Neighbours and Friends, he did not take care to do it: Only when Colonel Fletcher came back, he told Mr Honan that they were to give security, but does not know what was done thereupon. Being asked how long he had liv'd in that Province, he answer'd Forty five years; And that he had been long in Publick Imployments, both under the Dutch and English Governmts Then asked whether the granting of such like Protections as these had been a thing practised formerly by other Governours, He answered that he does not know that any such Protections were formerly granted. But hereupon a By-stander, unask'd, saying, that Colonel Dungan had granted such like; Colonel Fletcher himself then said it had been a common practise.

Hereupon Sir Thomas Powis observing again that all this matter being about Transactions in America, and much of the evidence being new to them, he said it was necessary for them to desire time to send into America for counter evidence.

Then Mr Atturney proceeded to produce in confirmation of the 7th Article, the Deposition of John Hutchins and his wife which was read; And tho direct to that point, yet amounting to no more than a proof of what Coates had said, no further argument was made thereupon.

Upon the 8th Article Mr Atturney produced an Extract of the record of the Commissions granted by Colonel Fletcher to Tew, Glover, Hoar, and Moston, together with the Atturney General of New York's Memorial, to the Earle of Bellomont relating to Tew and Hoar, which were all read. And Mr Weaver being also call'd upon, declared that he being about the time of the date of Tew's Commission in the Leeward Islands, it was a thing notoriously known to every one that Tew had before then been a Pirate.

Then Sir Thomas Powis pleading that Colonel Fletcher might probably not know of Tew's former practise, when he granted that Commission; it was observed that Colonel Fletcher himself in his answer seems to admit it. Next, to shew that persons intrusted with such Commissions may become guilty of great crimes without the fault of those concerned with them, Sir Thomas Powis instanced in Captain Kidd, with whom the Earle of Bellomont himself together with others are concern'd. And then he produced an Extract of the Minutes of the Council of New York, of the 8th November 1694, by which it appears that the said Council did unanimously agree that Tew should have a commission. And in further opening of the occasion of granting Commissions to Hoare and Glover, he again produced the forementioned Depositions of Aske, Mayle, and Ling, which were also thereupon again read, and as before taken back.

To the 10th Article, which relates intirely to Moston's ship the Fortune, Mr Atturney produced the Charter party past with the Merchants who freighted her, whereof so much was read as tended to shew that she was an unfree bottom, but sent out upon account of Trade, to fetch Negroes and other goods from Madagascar. Next was read the Deposition of John Pantree relating to the voyage of the said ship; Then the Bond given by the said Moston upon his receiving his Commission, signed by himself and Thomas Wenham; And Mr Atturney further offered the condemnation of the said ship, upon her being seized, aftr her return to New Yorke; But that was admitted without reading. And hereupon Mr Atturney observed that this ship having been formerly a Dutch Privateer and thereby notoriously known to be an unfree bottom not qualified for Trade in the Plantations, it was evident that the said Commission was only given her for a Colour.

Sr Thomas Powis answered thereunto that nothing is more common than for Merchantmen of any considerable force, who go upon voyages of Trade in time of War, to take along with them Commissions of War; Which was confirmed by Captain Evans, as things wherewith the Records of Doctors Commons are full. And concerning the said ships being an unfree bottom, Colonel Fletcher affirmed that he knew it not.

The hearing of all these things aforementioned having taken up much time, and the Council on both sides desiring that what remains might be deferr'd to some other day, Their Lordships agreed with them to adjourn the hearing of the remaining matter till Tuesday next at four of the clock in the afternoon.

Further Proceedings of the Lords of Trade in the Case of Colonel Fletcher.

[Journal XI., 862-872.]

Whitehall January 24th $169\frac{8}{9}$

At a Meeting of His Majesty's Commissioners for Trade and Plantations.

PRESENT—Earle of Bridgewater, Sir Phillip Meadows, Mr. Hill, Mr Blathwayt, Mr Pollexfen

New Yorke Coll. Fletcher's 2d hearing

Mr Atturney General with Mr Weaver, and Sir Thomas Powis with Colonel Fletcher, being again present, in order to the further hearing of Colonel Fletcher's business, the same method was followed as before, vizt: By reading first each Article of the Heads of complaint against Colonel Fletcher, and then his answer thereunto.

In this manner Mr Atturney proceeded to the 11th Article, and then in confirmation thereof produced the Depositions of Thomas Wenham, Joseph Smith, William Sharpas, and Lancaster Sims, relating to the securities given for Tew and Hoar, upon the granting of their Commissions, which were read. And Sir Thomas Powis thereupon observing and arguing that those Depositions did not at all relate to Colonel Fletcher's conduct but wholly to his servant Daniel Honan, against whom neither they scarce amounted to be any manner of Evidence; Mr Atturney replied that they were pretty strong evidence against Honan, and therefore did concern Colonel Fletcher as the fault of his servant about a thing in which he himself was obliged to have taken care.

In confirmation of the 12th Article, Mr Atturney produced Accounts of the Revenue in the year 1687 and of the successive yeares from 1692 to 1697; As also Mr Randolph's Memorial of the 21th of May 1698; A minute of the Council of New York of the 27th of May, and another of the 7th June 1693, about the ship Elizabeth of Berwick, agreeing with one part of Mr Randolph's said Memorial: An Account of the Revenue in Michaelmas Quarter for the years from 1692 to 1697, An Account of the number of ships entered inwards and outwards: An abstract of the Revenue last Michaelmas Quarter: All which Papers were read. And from thence Mr Atturney argued that it being thereby evident that the Trade of that Province was greater, during Colonel Fletcher's Government than it has been since, But that His Majesty's Customes at the same time were less it follows that much of that Trade was unlawfull and greatly connived at.

To these things Sr Thomas Powis answered, that this charge being only by way of argument it is observable however that the City during Colonel Fletcher's Government was inriched and enlarged, which is a commendation of his administration. And that if there were any connivance at illegal Trade it is hard that should be charged upon him. To Mr Randolph's Memorial, he answered that the said Randolph has since writ that he was since trick't into it. And upon the whole he offered that Colonel Fletcher's Governmt being in time of War, there were not so many ships then entred directly from England (which are those that bring in the most Customes) but the Trade of that City being then chiefly with the neighbouring Colonies, the customes might very well amount to less.

Then calling upon Mr Brooks to acquaint their Lordships with the circumstances of things relating to the Trade and Customes of that City, He gave a large account thereof, shewing

some reasons why the Revenue of the Customes could not be so great then as now; And afterwards delivered to the Board a writing containing those reasons which he had offered in discourse, to be considered of by their Lordships at leizure. And besides the said Paper Mr Brook also shewed a letter from Mr John Morris of New York, advising him that foure or five hundred pounds of Arrears in Mr Brook's time are brought in to account by the Earle of Bellomont to give a false colour to those things, which letter was read: And he also offered the Copy of that letter mentioned by Sir Thomas Powis from Mr Randolph, wherein he writes to Mr Savage of the Custome house that he was trick't.

But to the inserting of Arrears, Mr Weaver answered that the like was done by Mr Brook himself, quarterly, in all his accounts; and to that expression of Mr Randolph's he reply'd that Mr Randolph had told him that Mr Brook had threatned to break him with the Commissioners of the Customes here at home, for having made the foresaid Memorial, which he supposed might have obliged him to write Mr Savage in that manner.

In opening the 13th and 14th Articles and in confirmation of the same, Mr Atturney produced the Atturney General of New Yorke's Memorial about the method of granting lands in that Province, which was read.

And Sr Thomas Powis thereupon again complained of the hardship they lay under, for want of having the papers now produced communicated to them beforehand. Then Colonel Bayard being asked about the practise of the Atturney General's attending or not attending the Council, he said that before Colonel Fletcher's time the constant practise was that the Atturney General did attend. And Colonel Fletcher himself thereupon declared that at his first entrance upon that Government he altered that method, because he did not thinke fit any one should be present in Council who was not under the Oath of a Councellor: And concerning surveys he said that the Surveyor General was lazy and negligent, and that when he came away there were about fifteen warrants for surveys unexecuted.

Then Mr Atturney produced an Extract of the Grants of the several Tracts of land, out of the Records of the Province. Upon which Colonel Fletcher said that upon all such grants, warrants were directed to make survey.

Next were produced by Mr Atturney the Depositions of Henry and Joseph, two Christian Indians, relating to the Grant of the Mohacques Land to Mr Dellius and others, the begining of which was read: Also the Earle of Bellomont's Report upon that matter which was likewise read.

Then Sr Thomas Powis answered, that he observed this charge about lands was double, One part about gaining lands to the Crown which is in pursuance of his Instructions; The other about granting Lands from the Crown; And added that no Grants of this kinde were made but what went through the Atturney General of the Province's hands.

Thereupon Captain Evans being called on, said that the Atturney General drew his Patent, and had given him an account that the land therein conteined was not before granted; Upon which he presented his Petition and obtained it. Being ask'd whether his Petition was referr'd to the Atturney General, Colonel Fletcher himself said that it was not. Captain Evans said further, that the Surveyor was three weekes abroad with him, in order to a survey; But that it could not have been perfected in six months; The Quit rent reserved by his Patent he said is forty shillings per annum; But acknowledged that there was no clause in it obliging him to improvement. Colonel Bayard likewise said, that the Atturney General drew his Patent: And

added that when any difficulty arose about the granting of lands, the Atturney General was formerly consulted thereupon, but not otherwise.

Then was produced by S^r^ Thomas Powis and read, a Minute of the Council of New Yorke July 21^th^ 1697,[1] together with the Instrument of the sale of that Land by the Indians, in order to shew that the agreement with them was fair and that the thing was transacted by consent of the Council, But to that M^r^ Weaver replied that the Indians had since complain'd they were trick'd into it, and in confirmation thereof produced the printed account of their late conference with the Earle of Bellomont; And Colonel Bayard answered thereupon that he knew not how the Indians were induced to express such dissatisfaction now; For they had often formerly express'd more satisfaction in Colonel Fletcher than in any other Governour. But this Grant was made, he said, but about eight months before Colonel Fletcher came away, and he had no conference with them after that time, whereby they might express to him any satisfaction or dissatisfaction about this matter.

To what related to that part of the King's Garden lett to Colonel Heathcote, and the King's farme leased to the Church, S^r^ Thomas Powis offered the same answer that Colonel Fletcher has given in writing, Adding that some part of that ground was taken wrongfully by Colonel Slaughter and afterwards restored, and in evidence thereof he produced the Minutes of the Council of the 1^st^ and 2^d^ September 1692 confirming the same.

Upon the 15^th^ Article M^r^ Atturney produced the Deposition of Lieutenant John Bulkley whereof the later part was read, setting forth That upon Lieutenant Mathews's propounding to him to signe a Muster Roll, he observed that the number of Men set down therein was greater than they were in reality; And that the real number of effective men was only forty nine yet nevertheless that having never sign'd any Muster Roll before, he was perswaded to set his hand to it. M^r^ Atturney also produced a Copy of the said Muster Roll, dated the 12^th^ of January 169$\frac{6}{7}$ being for one hundred effective men which was read. Also a Copy of a Certificate given by Colonel Cortland and M^r^ Levingston about their agreement with Colonel Slaughter to allow him ten shillings per ann. out of the victualling of each soldier setting forth that they did the same to Colonel Ingoldsby, and the like for some while to Colonel Fletcher, which was read.

To that Colonel Fletcher replied that they might perhaps continue the first year to allow it him, for the forces raised by the country, but that he never received a farthing of any such allowance for the King's forces. And concerning the Muster Roll S^r^ Thomas Powis observed that it was certified by Colonel Cortland, who is now one of the Council; And concerning Bulkley, who gave this information, Colonel Bayard added that he is an infamous fellow, guilty of Thievery, and ought not to be credited.

Upon the 16^th^ Article M^r^ Atturney produced the report of Colonel Bayard and Colonel Cortland, upon their survey of the Fort at New York; unto which Colonel Bayard answered, that notwithstanding the said Report of that survey, which he had made joyntly with Colonel Cortland upon the Earle of Bellomont's order, yet every word of Colonel Fletcher's written answer to this head of Complaint is true.

To the other part of that Head which relates to the Demolishing of the Fort at Cadaraqui, M^r^ Atturney produced the printed account of the late conference of the Indians with the Earl of Bellomont, whereof the tenth page relating to that subject was read. And in answer thereunto

[1] 31st July, 1697. *New-York Council Minutes*, VIII., 11.—Ed.

S^r^ Thomas Powis produced a Report made by M^r^ Pinhorn and others shewing the impossibility of marching to Cadaraqui to demolish that Fort.

Concerning the 17^th^ Article M^r^ Atturney not being instructed to offer any thing thereupon, The Letters of Denization, of Arnold Nodin which had been transmitted to this Board by order of Council of the 20^th^ October last, were read: And Colonel Fletcher thereupon replied that he did not remember any thing of that particular business, or man, but affirmed that he granted no Letters of Denization but in the usual forme.

As for the 18^th^ Article, Colonel Fletcher refer'd himself to the Answer he has already given in writing.

Then to conclude S^r^ Thomas Powis produced the Duke of Shrewsbury's Letter for recalling Colonel Fletcher, wherein he assures him that His Majesty was not dissatisfied with his conduct, but would imploy him some other way, which was read: And he likewise offered several addresses of the Inhabitants of that Province, one of which signed by several Gentlemen, Merchants, Freeholders and Inhabitants of New York was likewise read.

Lords of Trade to the Earl of Bellomont.

[New-York Entries, B. 254.]

To the Right Honourable the Earl of Bellomont Captain Generall and Commander in Cheif of His Majesty's Province of the Massachusett's Bay, New Yorke and New Hampshire in America and of the Territories thereupon depending &^c^ Or to the Commander in Cheif of His Majesty's Province of New York for the time being.

My Lord.

It has happened upon occasion of hearing Collonel Fletcher's busyness which lyes now before us in order to a report and directions there upon, that severall merchants and others concerned in the Province of New Yorke have applyed to us with expressions of their uneasyness under the changes which your Lordship has made in that Government, pretending that the favour and preference which they say your Lordship has shewn to those of Leisler's party gives them great reason to apprehend lest that party prevailing in the elections of the next Assembly, should aim at reparations for damages suffered in the time of the disorders of that Province upon occasion of the late happy Revolution, to the great hazard of their effects and estates there; which is (as they say) at present so great a discouragement upon them in their trade, that instead of sending any thing further they are only sollicitous about withdrawing from thence what they have there already, and the same reason will oblige many of the inhabitants to forsake the Province. These being the surmizes which some people have made to us, we can do no less than acquaint your Lordship therewith; and untill we shall be able to give your Lordship a full account of what shall be determined by his Majesty upon your severall letters, we take this opportunity to offer to you our advice that no Act of Assembly be past by

your Lordship's consent, whereby any retrospect be had to the quarrells or differences between any parties during the forementioned disorders or for the reparation of damages then suffered on either side, without his Majestys express pleasure first had therein.

We are, My Lord

Your Lordship's most humble servants

J Bridgewater
Ph: Meadows
Wm Blathwayt
Jno Pollexfen.
Abr: Hill.

Whitehall
Feb: the 2d 169⅝

The Lords of Trade to Secretary Vernon.

[Plantations General Entries, XXXV., (B) 12.]

To the Rt Honble Mr Secretary Vernon

Sir

In answer to what you have signifyed to us of his Majesty's pleasure, by your letters of the third and ninth of January last, relating to the infringmts made by the French upon the English Right of fishery in the seas adjoining to Nova Scotia, and to their incroachments upon any of his Majestys territories in North America together with the pretentions upon which they ground them, as also relating to the boundaries between the English and French territories in those parts by land, and the advantages which the French do or may pretend to draw from the American treaty, to the prejudice of his Majestys subjects; we desire you would please to lay before his Majesty the following account of what we are able to offer upon those matters.

The Northern Continent of America having (as is alledged by us) been first discovered by the subjects of the Crown of England, that part of it lying between the Latitude of 40 & 48 Degrees and extending from the East sea to the West sea, was grant by King James the first, by letters Patents dated the 3 of Novr 1620, unto the then Duke of Lenox and divers others by the name of the Council of Plymth &c

In the year 1621 the Countrey of Nova Scotia was more particularly granted by the said King James the first to Sr William Alexander, afterwards Earle of Sterling, who sometime after sold his right Monsr Claude De la Tour, a frenchman to be held by him and his successors under the Crown of Scotland.

About the year 1631 King Charles the first made some sort of Concession of the said Country unto the Crown of France (unto which we do not understand that the French had till then any title) reserving never the less the right of the Proprietors who had before enjoyed it.

In the year 1633 not withstanding the foresaid Concession, King Charles the first by letters Patents dated the 11 of May in the same year; granted to Sr Lewis Kirk and others full priviledge of Trade and Cômerce, even in the River of Canada (which is North of Nova

Scotia) and places on either side adjacent, but also to plant Colonies and build Forts and Bullwarks where they should think fitt; by w^ch^ it seems to us that the forementioned concession, whatever it were, was not understood to have been an absolute grant and alienation of the said Country from the Crown of England or Scotland; But never the less the said S^r^ Lewis Kirk and Partners were molested by the French, in the enjoyment and exercise of the aforesaid priviledges.

On the other side many years before this, the Countrey about Penobscot lying to the Westward of Nova Scotia had been discovered by some of the inhabitants of New Plymouth who seated themselves there, But were also afterwards sometimes disturbed by the French Governor of Nova Scotia.

In the year 1654 Cromwell having a fleet at New England, caused the Country of Nova Scotia to be seized as being anciently a part of the English Dominion, to which the French had no just title. And the Proprietor of the said Countrey S^r^ Charles de S^t^ Estienne Son and heir to the forementioned Mons^r^ dela Four, coming thereupon into Engld sold all his title and Right unto the said Countrey to S^r^ Thomas Temple and M^r^ William Crowne one or both of them,

The said Temple and Crown or one of them or their assignees, did accordingly continue to possess and enjoy the same, with the Profits thence arising, until the year 1667, In which it was agreed between the late King Charles the second and the French by the Treaty at Breda, that the said Country should be surrendered to the French w^ch^ was accordingly done in the year 1670, by S^r^ Thomas Temple the[n] residing as Gov^r^ upon the place But in the execution of that surrender, it has been suggested to us that the said Temple exceeded his Commission and delivered up Penobscot also At which the said King Charles the Second was highly displeased and did not confirm the same.

On the contrary it happening not long after, that a war broke out between France and Holland in which the Dutch took the Fort of Penobscot from the French, demolished it and quitted it; The said King Charles the Second thereupon ordered and Commissioned the Governor of New York to take the same under his jurisdiction which was accordingly done and the said Country extending from a place called Pemtagoet Westward to the River S^t^ Croise Eastward was annexed to the Government of New York by the D of Yorks Patent for the same, and in prosecution thereof (the French still keeping possession of some parts of it) S^r^ Edmund Andros when Governor of New York invaded them by force and took the habitation of one Mons^r^ S^t^ Costine a Frenchman who thereupon instigated the Eastern Indians to make War against us, with which war the frontier Countries of New England on that side have been much infested.

Since his Majesty's accession to the Crown, the dependency of the foresaid Country of Penobscot upon the Government of New York, has been altered and in the year 1691, not only that but also Nova Scotia were by the Charter granted to the Colony of the Massachusetts Bay, annexed to the Government of that Colony.

It is to be observed that during S^r^ Thomas Temples residence in and Government of those parts he having been at great charge in building Forts, and otherways for the protection of our Fishery did levy 5 pound upon every fishing vessell that cured and dryed their fish upon the shoar And accordingly after the surrender of that Country by him the French at first contented themselves with the same; But in process of time some of their Governors claimed also the sole right of fishing upon the high seas and have accordingly caused several of our vessells fishing there, to be taken and made prize of.

What has come to our knowledge concerning the conduct of the French since the peace as well in relation to the fishery on those Coasts, as to the boundaries between them and us upon the eastern parts of New England by land and the orders which their Governours in those parts pretend to have from the Court of France for their acting accordingly we have already fully explained to you in our letter of the 29 of December last, and the papers which were there inclosed the copies of all which we again herewith send you. And for the fuller explanation of what we have now summarily expressed in the foregoing part of this letter We likewise now send you the copies of several other papers that have at different times been delivered or transmitted to us upon those subjects from whence we have drawn some part of the foregoing account, and unto which as occasion asks recourse may be had.

This being the sum of what we have to offer relating to New England and the Countrys lying to the Eastward thereof, we will conclude the same in observing, with relation to the fishery that it is of very great importance to England not only that our Right of fishing in those seas be asserted and maintained, but that an agreement be also made between us and the French for mutual liberty for ships to refresh, wood and water upon each others coasts, and in relation to the Boundaries we humbly conceive that it also mightyly imports us that the ancient limits of that part of Nova Scotia being the river S^ta^ Croix, the same be made the fixed Boundary between the French and us in those parts, and that the right which they may pretend to derive from S^r^ Thomas Temples forementioned surrender and which at most would extend no further than the rivers S^t^ George (as we mentioned in foresaid letter) be not allowed of; much less that any concession be made for extending their boundaries Westward to the river Kenebeck as we have been informed they now pretend.

The next boundary to be considered between the French and us, is the North and West parts of all his Majesties Plantations from New England to Carolina concerning which, thô the English Patents generally have allowed no bounds by land, but extended the grant of those lands from Sea to Sea. Yet the French since their possession of Canada, having at several times gone up the river S^t^ Lawrence and from thence into the Lakes South westward of the said river, lying all along upon the North and West of His Majesty's foresaid Plantations, thô it be no more than what has as frequently and as early been done by English men, yet they have thereupon from time to time extended their pretentions to the propriety of all the Countries bordering upon the said river and Lakes which if it should be allowed them, and that an entire freedome be not maintained for his Majestys subjects, to Trade at least with the Indians of those parts and for them and the said Indians to pass and repass without molestation it will turn to the very great prejudice of England, and most particularly of New York and other his Majestys provinces in America; whose frontiers are furthest extended towards the places so claimed by the French.

Concerning the said frontiers therefore of New York and his Majesty's Right to the Soveraignty of the five Nations of Indians bordering there upon we send you here inclosed a Memorial, which about the month of July 1691,[1] we prepared to be transmitted to his Majesty's Plenipotentiaries then at the Hague: Which being as particular and express as we were then able to make it, all we can add now are the inclosed copies of a Memorial and a deposition[2] sent us by the Earl of Bellomont concerning the constant subjection and dependance of the sai l 5 Nations upon the Government of New York ēver since the first settlement of that Country by the Dutch, in or about the year 1609: By which all the French pretentions to any Right over them (which we do not understand to be either in themselves of any weight, or

[1] *Sic.* It ought to be 1697. See Memorial in extenso, post Vol. V.

[2] See ante pp. 352, 353. — Ed.

that they reach any further backwards than the year 1666) seem unto us to be fully answered and made void.

In answer to that part of your foresaid letter of the third of January which relates to the American treaty tho' we do not suppose the said Treaty to be now in force, yet in obedience to his Majestys Commands, we desire leave to offer thereupon the following observations.

The reasons for which we humbly conceive the said treaty not to be now in force are these.

1, Because the French thought themselves under no obligation by that treaty, but attacked us in America, upon the declaration of the war in Europe, which they would not have done if they had thought themselves obliged by the said Treaty; And if one of the parties depart from the contract the other is no longer obliged.

2. Because the Treaty of Reyswick does not renew or revive the said American Treaty, which ought to have been done in case it had been thought reasonable to continue the same.

The 3 and 10 articles of the said Treaty providing, that neither p'ty should give assistance or supplies of men or victuals to the barbarous or wild Indians (as the Treaty terms them) And that the subjects of either Nation should not harbour the barbarous or wild inhabitants or the Slaves or goods which the said inhabitants had taken from the subjects of the other Nation, and never have been understood by the Crown of England to have been meant (as the French interpret it) of the five Nations belonging to England, who have been alwayes and are still our best defence against the encroachm^{ts} and invasions of the French in that part of America.

Upon the 4 Article which provides that both Kings should have and retain to themselves all the Dominions Rights and Preheminencies in the American seas, Roads and other waters whatsoever in as full and ample manner as of Right belongs unto them, and in such manner as they now Possess the same, it is to be observed that the French very well knew what orders they themselves had then given to take possess^{n} of Hudsons Bay by force, thô in time of peace, and to invade as they actually did with a considerable force the Northern parts of New England and of New York with intention to surprize our frontier Forts, and destroy our Indians, which by the forementioned Articles they would have obliged us not to assist.

The 5 Article providing that the subjects inhabitants merchants commanders of ships masters, and marriners of the Kingdomes, Provinces and Dominions of each King respectively, should abstain and [be] forbiden to Trade and fith in all places possest or which should be possest by the one or the other party in America &^{c} without mentioning whether the Possession be rightfull or no, that we conceive has given occasion or pretence to their disturbing our fishery in the Eastern seas of America which his Majesty's subjects have always practiced and to which we judge they have a full and undenyable Right.

Lastly it is worthy of consideration whether a treaty of neutrality (either this or any other) in America, be for his Majestys service, and the advantage of England, since it is well known that notwithstanding this treaty they did first surprize and attack us in America, and may do the like again on the like occasion; while we relying on the faith of such a treaty may be wholly unguarded and unprovided (as we then were) for such attempts. We are

Sir

Your most humble Servants

(Signed) J Bridgewater
Tankerville
Ph: Meadows
W^{m} Blathwayt
John Pollexfen

Whitehall
Feb: the 17. 169$\frac{8}{9}$

Representation of the Lords of Trade on the Charges against Colonel Fletcher.

[New-York Entries, B. 262.]

To the KINGS MOST EXCELLENT MAJESTY.

May it please Your Majesty.

Having laid before their Excellencies the Lords Justices in Council the 19th of October last a large Representation of the state of your Majesty's Province of New Yorke, in which we occasionally mentioned severall things relating to Colonel Fletcher's conduct in the Administration of that government; and having been thereupon ordered by their Excellencies to hear Colonel Fletcher upon the complaints which had been made against him and to report the state of the matter, with our opinion what is requisite to be further done therein; We digested into distinct heads the substance of what more particularly related to him in our forementioned Representation, adding thereunto some further particulars that had afterwards occurr'd to us, and delivered the same unto him. And he having since then returned his answer thereunto in writing and desired to be heard by his Council, upon which we accordingly heard both Mr Atturny General against him, and Council in his defence: We now most humbly crave leave to lay before your Majesty the forementioned heads together with our observations upon what hath been thereupon offered unto us

The Three first of those heads or articles are:—

The Case of the ship Jacob.

1. That in the year 1693 a certain ship called the Jacob commanded then by Edward Coats returning from a piratical voyage in the East Indies to Nassau Island, some persons deputed from on board the said ship, did treat and agree with Colonel Fletcher to pay him the sum of seven hundred pounds, upon condition that the said ship might be permitted to come up to New Yorke and the men belonging to her have Protections.

2. That for the better colouring of this transaction Colonel Fletcher prevailed with the Council to consent thereunto, under pretence of allowing the men the benefit of a certain clause in an Act of the Country concerning Pirates, to which those men had no manner of title, and the rest of which act is directly against them.

3. That in consequence hereof the said ship did accordingly come up to New Yorke and the men were protected; but it happening that instead of paying the money several of the men dispersed, the rest of them (in lieu of that payment) presented unto Colonel Fletcher the said ship; which he afterwards sold for eight hundred pounds.

The evidence that lyes before us relating to these three Articles, consists chiefly of the depositions of Samuel Burgess and Edward Taylor, two mariners belonging to the said ship, taken before the Earl of Bellomont in May last, and whereof copies were annexed unto our forementioned Representation; one of which depositions is direct and positive, as well with relation to the treaty with Colonel Fletcher before hand, as to the presenting the ship to him afterwards. But nevertheless that treaty before hand is by him denyed.

Upon the Second of those Articles it appears by the minutes of the Council of New Yorke of the 7th April 1693, and by the Act of the general Assembly therein mentioned, that the men

belonging unto the said ship were admitted by the unanimous consent of the Council there, upon pretence of allowing them the benefit of a clause in the said Act, unto which they had no manner of title, and by the body of which Act itself, they ought rather to have been prosecuted and punished. But it is denied by Colonel Fletcher as likewise by Colonel Bayard and M^{r} Chidley Brook (who were then of the Councill, but have been since removed by their Excellencys order in Council here, and are now in England) that he did in the least influence the said Council in their deliberations upon that matter.

As to the Third Article, Colonel Fletcher do's acknowledge that he did receive the said ship as a present, and sold her for eight hundred pounds of New York money.

Upon all which we are humbly of opinion that his proceedings in that matter altho' with the consent of the Council, were contrary to his duty, and an incouragement to Piracy.

The 4th 5th and 6th Articles are:—

Protections to Pirates

4. That besides the Protections granted to the men of that ship, Colonel Fletcher granted the like protections to many other notorious Pirates belonging to other ships, for which they paid unto him or his Agents, generally about one hundred dollars p^{r} man.

5. That tho' the tenour of those Protections import only a promise of the protection of the Law and makes mention of security given, that the persons so protected shall be ameanable to the law; yet no such securities are found amongst any of the publick papers of that Province, nor does it appear that any of the persons so protected were ever prosecuted for their Piracies.

6. That in the year 1696 one Rayner, who had been out on a piratical voyage with one Captain Tew, and whose chest upon his return to New Yorke was seised with a considerable Treasure in it, by the sheriff of a County, making application to Colonel Fletcher for the discharge of his chest and protection for his person; Colonel Fletcher did grant the same, and in consideration thereof received Fifty pounds of New York money.

The foregoing 4th Article (viz^{t} that several protections were granted) is not denied by Colonel Fletcher, tho' with this exception, that it was not to known pirates; and neither is it denied by him that certain fees or gratuities might be paid for the same to his servant who drew them, tho' without his knowledge of the sum, or his receiving any benefit thereby. But in further confirmation of that article we have before us the depositions of Samuel Staats and Thomas Lewis of New Yorke, taken also by the Earl of Bellomont in May last and whereof copies were likewise annexed to our forementioned Representation, by which it appears that during Colonel Fletcher's being in Pennsilvania, the said Staats and Lewis treated with Colonel Bayard beforenamed for Colonel Fletcher's protections for two of their relations, who had been abroad on piratical voyages, and paid unto him upon the delivery of those protections seventy five dollars for each of them, for Colonel Fletcher's use; and twelve pieces of Arabian gold each for himself. And Colonel Bayard has also himself owned to us that upon the fore named Lewis's application to him about this matter, he writt to Colonel Fletcher and received from him the protections desired, with further answer thereupon that it was against his principle to make any such bargain before hand, but that the persons concern'd might make what presents

they pleased. Whereupon he the said Colonel Bayard, in delivering the said Protections, received the forementioned sums and afterwards paid them to Colonel Fletcher's servant M[r] Daniel Honan, upon his return from Pennsylvania.

The tenour of those protections as mentioned in the 5[th] Article, appears by the Copy of one of them sent us by the Earl of Bellomont, and tho' there be mention in them of some security given, yet no such security having ever been entered in the publick registers of the Province, and Colonel Bayard having owned to us that it was the duty of M[r] Honan, Colonel Fletcher's private Secretary, who drew the protections, to take it, as likewise that he himself did not take any security in delivering the protections afore mentioned, to the foresaid Staats and Lewis; there do's not appear unto us any ground to beleive that any such security at all was ever taken. But however it is acknowledged by Colonel Fletcher himself, as likewise by the foresaid Colonel Bayard and M[r] Chidley Brook, that no prosecutions were ever made of any such persons, under what suspicion so ever they lay.

The 6[th] Article is grounded upon the deposition of John Wick taken likewise before the Earl of Bellomont in June last, and annexed to our forementioned Representation in which he sets forth that upon his application to Colonel Fletcher in behalf of Rayner, Colonel Fletcher in granting the said Rayners protection with a discharge for his chest, declared that he would take no reward for it, but if Rayner thought fit to make him a present he would not refuse it. Whereupon the said Wick delivered to him the said Colonel Fletcher a bill for fifty pounds which was afterwards paid to his Secretary M[r] Honan.

Upon all which we are humbly of opinion that in granting such Protections in the manner aforesaid Colonel Fletcher gave great incouragement to Pirates and neglected his duty in not causing such persons to be prosecuted.

The 7[th] Article is:—

Coats his protection. That Edward Coats aforementioned hath said that it cost him above thirteen hundred pounds for his own share to procure Colonel Fletchers Protection.

This is confirmed (viz[t] that Coats himself said so) by the depositions of John Hutchins and Hannah his wife, taken before the Earl of Bellomont in June last. But we have not any other proof thereof than Coats's words; nor is it very clear to us by the depositions, whether he spoke those words with relation to his forementioned piracies in the ship Jacob, or some other afterwards. But the thing itself being positively denied by Colonel Fletcher we can not offer to your Majesty any opinion upon this Article.

The 8[th] Article is:—

Grant of Commissions. That Colonel Fletcher granted Commissions to Thomas Tew, Richard Glover, and John Hoare as privateers against the King's enemies, tho' Tew had offered a considerable sum for the like commission in another government but not obtained it, and tho' they had none of them any ship or vessell within the government of New Yorke at the time of granting the said commissions, and they themselves publickly declared that they intended to sail for the Indies, and the Red Sea, and by that means raised men and fitted themselves for their intended piracies.

In answer whereunto, the granting of those commissions is not by Colonel Fletcher denied; but it is pleaded by him that it was done with advice and full approbation of the Council, as usual to privateers. Neither is the notoriety of Tew's having formerly committed piracies in the Red Sea, contested. But Colonel Fletcher does deny his knowledg of any of their intentions to saile for the Red Sea or the Indies when he granted them their Commissions; and on the contrary affirms that Tew made open vows and Protestations never to go thither againe; tho' we hereupon add, that the Earl of Bellomont writes us that their intention of sailing thither is owned by the common speech of all men in the Province, to have been a thing then publickly known.

The 9th Article is:—

Colonel Fletcher's intimacy with Tew.

That Colonel Fletcher's intimacy with and kindness to the said Tew, who had before been a most notorious pirate, was very scandalous; and that he received great presents for such like Commissions.

This advice we have likewise from the Earl of Bellomont, upon the common fame spread in the Province of New Yorke; and tho' Colonel Fletcher do not deny his intimacy with Tew therein exprest, yet in extenuation thereof he has offered to us that it proceeded onely from the pleasantness of his conversation, and the information he thereby received about things observed by Tew in his voyages, together with his desire to reclaim the said Tew from an ill habit that he had got of swearing; in order to which he gave him a book and to gain the more upon him he gave him also a gun of some value; in return whereof he received a present from him, which was a curiosity, and in value not much.

The 10th Article is:—

Moston's Commission.

That Colonel Fletcher granted also a like commission to Thomas Moston Commander of the ship Fortune, an unfree bottom, tho' it was then evident that the said ship was not designed for any service of war, but for illegal trade, and the sequel demonstrated it accordingly.

In answer to this article Colonel Fletcher acknowledges that he granted the said Commission to Captain Moston upon the desire of several merchants who had hired the ship to fetch negroes from Madagascar; but denies his knowledge that the said ship was an unfree bottom: the evidence of which, as it lyes before us, consists of the information given us by the Earl of Bellomont that the said ship was known to all men to have been formerly a Dutch privateer; also in the copy of her Charter party of affreightment, by which she is hired to lade other goods as well as Negroes; likewise by the cargo she took in publickly at New Yorke, which the Earl of Bellomont writes was goods proper for the pirates; and in the last place by her seizure and confiscation for illegal trade upon her returne thither.

The 11th Article is:—

The taking insolvent securitys. That the bonds taken by Colonel Fletcher upon his granting some of the said Commissions were from the pirates themselves, joyned with one insolvent person, and Colonel Fletcher's own Secretary; and that the said Secretary having them in his custody had blotted out his own name in the body of the said bonds and torn off his signe and seal at the bottom.

The evidence of this Article (with relation to the bonds given for Hoar and Tew) consists in the depositions of Thomas Wenham, Joseph Smith, William Sharpass, and Lancaster Symms, transmitted by the Earl of Bellomont, whereof copies were likewise annexed unto our forementioned Representation: all of them agreeing that the said bonds when given were perfect without any razure or defacing; and two of them swearing particularly that to the best of their belief knowledge and remembrance Mr Daniel Honan did signe and seal the said Bonds in the place where there is now a razure and defaceing. But to this Colonel Fletcher has answered that the insufficiency of the security taken ought not to be imputed to him but to those whose business it was for the King's service to enquire thereinto. (Upon which nevertheless we cannot but observe that the person to whom he committed that trust according to Colonel Bayard's forementioned information, was his own servant, the said Honan.) And he further adds that if the said Honan have been guilty of the razure whereof he is accused, he has still retained him in his service that he may be forth coming.

Upon the consideration of which matters contained in the 8th 9th 10th and 11th Articles, we humbly offer to your Majesty that tho' it do not appear to us that Colonel Fletcher knew that the persons to whom he granted the forementioned Commissions intended to go upon piracy (the said Commissions being only such as are usually granted to privateers) yet we are humbly of opinion that greater caution ought to have been used by him, and sufficient security (which in these cases was wanting) should have been taken by the proper officers.

The 12th Article is:—

Connivance at Illegal Trade. That the connivance at illegal trade in that government during Col. Fletcher's Administration had been so great, that tho the trade of the Citty of New York have of late years been very much increased and the Citty thereby inriched and inlarged, yet his Majesty's revenue arising from the Customs hath decreased very considerably from what it was ten years since.

The proofs upon this article consist of several copies and extracts of Accounts of your Majesty's revenue there, both during Colonel Fletchers time and since the Earl of Bellomonts being in that government. In answer to which several observations have been also offered to us, to shew the defect of the computations made upon those accounts and of the conclusions drawn from thence together with reasons why your Majesty's revenue could not rise so high in Colonel Fletcher's time (which was a time of war) as now in time of peace. But the Earl of Bellomont having since our drawing up and delivering those articles to Colonel Fletcher, transmitted some further papers to us upon the like subject, and promised yet others, it is not possible for us at present to lay before your Majesty a perfect state of that matter.

The 13th and 14th Articles are:—

Exorbitant Grants.

The 13th that Colonel Fletcher did during his Administration grant away vast tracts of land, not laid out by exact measures of acres, but computed in the lump by miles without laying any obligation upon the grantees to improve the same or taking care to prosecute any persons, by any law of the Province for the non improvement thereof: and this also under very small and inconsiderable Quit Rents.

14th That some of the said grants being of a great part of the Mohacques country (without their consent duly obtained) did tend to the disobliging of them and the exposing the Frontiers of New Yorke to the attempts of the French; that others and particularly those of some part of the King's Garden and a farm called the King's Farm did take away much of the necessary convenience of future Governours; that all of them tended to obstruct the peopleing and cultivating of the Country; and (there being now no land left fit for settlement) they have taken away from His Majesty the possibility of rewarding for the future with gifts of land, the services of those that may deserve it in war or peace.

In answer to these articles Colonel Fletcher hath affirmed to us that he did not make any grants of Lands whatsoever without the advice and consent of the Council; that upon the making of all such grants he constantly directed warrants to the Surveyor for the survey thereof, but that the said Surveyor was negligent and seldom executed them; that the purchase of the Mohacques land was fairly made; that he thought it for your Majesty's interest the same should be so purchased and granted, in order to the extending of the Frontiers of that Province; and that if any fault were committed in the making or draughts of any grants, the Atturney General of the Province who drew them ought to be most accountable for the same. In reply to all which the cheif things that have been offered unto us are, that the Atturney General of the Province was discharged by Colonel Fletcher from attending on the Council, as he used to do in the time of former Governours, and was not consulted about the making of any of those grants, but only directed by warrant to draw them; and that the omission to make surveys (supposing as Colonel Fletcher affirms that warrants were given for the same) might proceed from the extent of those grants, together with the difficulties of tracing over such uncultivated places, which made it scarce possible that the said warrants could ever be executed; Of which we have had one instance from Captain Evans late commander of your Majesty's ship the Richmond, who being produced by Colonel Fletcher to give us information concerning a grant made unto him (which we find to be reckoned about forty miles in length and twenty in breadth, tho' some others are much greater) did assure us that the survey thereof was begun but could not have been perfected in six months' time.

Whereupon we humbly offer to your Majesty that tho' it was left to Colonel Fletcher by his instructions to make as large purchases of land as he could from the Indians for a small value; yet his having made such such large grants of lands to single persons, without due caution for improvement, was not for your Majesty's service, nor did it tend to the settlement of those parts. For which reason their Excellencies the Lords Justices were pleased upon our forementioned Representation about the state of the Province of New Yorke to give directions to the Earl of Bellomont that he should put in practice *all methods whatsoever allowed by law for the breaking and annulling those exorbitant irregular and unconditioned grants.*

The 15th Article is:—

Miserable condition of the Forces. That the forces there were left by Colonel Fletcher in a miserable condition, not halfe the number that they should be by the Establishment, and almost starved; which is imputed in great measure to their hard usage, and amongst other things to the deduction made by Colonel Fletcher of one halfpenny pr day out of each private soldier's subsistance; as also to the stopping of their subsistance when they were allowed to work. Besides which and what more the soldiers were wronged of in the additional allowance of four pence pr day made by the Country, it is observed that Colonel Fletcher made other indirect advantages by sending home full Muster Rolls when the men were not really halfe the number.

The substance of this article having been drawn from several of the Earl of Bellomont's letters, what hath been more particularly offered to us in proof of some parts thereof is a deposition made by Colonel Cortlandt and Mr Robert Livingston, Victuallers for the Forces, relating to a perquisite of ten Shillings pr Annr for each private soldier, allowed by them first to Colonel Slaughter, then to Colonel Inglesby, former Governors of New York, and afterwards to Colonel Fletcher: according to which Colonel Fletcher does not deny but the said allowance was made to him in the beginning of his government, for the forces raised by the country, but does deny that he received it for those sent over by your Majesty. And in relation to false musters what has been offered to us is the copy of a Muster Roll of Colonel Fletcher's own Company, signed in January 1696, by both the Lieutenants, and expressing their number to be then one hundred effective private sentinells; with notes made thereon afterwards by Lieutenant John Bulkely (one of those who had signed it) distinguishing those that were then dead or had deserted, together with a deposition made by the said Bulkeley before the Earl of Bellomont, setting forth that the said Company were at that time no more than forty nine effective men in service. In answer to which Colonel Fletcher has represented to us that he was at Albany when the said Muster was made at New Yorke, that the said Muster Roll is certified by one of Your Majesty's Council there; and concerning the forementioned Bulkely, Colonel Bayard has affirmed to us that he hath been guilty of thievery, is infamous, and ought not to be credited.

Whereupon we are humbly of opinion that the forementioned Muster Roll ought to be re-examined by the Commissary Generall of the Musters here, in order to be certified over by him to the Pay Master Generall of the Forces, that payment may be made accordingly.

The 16th Article is:—

Neglect of the Fortifications. That the Fortifications on the frontiers of that Province were very much neglected and are now exceedingly out of repair, and that the Fort of Cadaraquy was not demolished as was desired by our Indians of the Five Nations, and as it might have been when deserted by the French.

In answer to the former part of this Article, Colonel Fletcher has represented to us that the Fortifications on the Frontiers of that Province being of wood are subject to moulder and decay, and that it ought not therefore to seem strange that the Earl of Bellomont found them

out of repair; and concerning the neglect of demolishing the Fort of Cadaraquy, we are satisfied by what Colonel Fletcher has also represented to us about the distance of the place (being four hundred miles from that Colony) and the difficulties of the way thither through woods morasses and other inconveniences in that uncultivated country, that it was scarce possible to have marched thither with the force and instruments or other materials necessary for such a work.

The 17th Article is:—

Illegal letter of Denization. That Colonel Fletcher granted letters of Denization to Arnold Nodine a Frenchman without any authority for so doing, and in such large and extensive terms as are directly contrary to the intention of the laws of England which relate to the Plantation Trade.

This Article not having been formed upon any information from the Earl of Bellomont, but occasioned by an order of their Excellencies the Lords Justices in Council in October last, upon which we then made a separate Report; We onely offer unto your Majesty what Colonel Fletcher has alledged to us in his own vindication, which is, that he granted no such letters of Denization but in the accustomed form, and that if there were any defect therein, the Atturney General who drew them is answerable for it.

The 18th Article is:—

Neglect of notifying the peace to the Govr of Canada. That Colonel Fletcher neglected to write to the French Governor of Canada when he sent him notice of the Peace, which was resented by him as a slight.

To which Colonel Fletcher answers that he did not give any advice at all of the Peace to the French Governor of Canada, because he had not authentick notice thereof himself; but that having occasionally received some advice thereof from New England, he did send notice of what he heard to the Commander of Mont Real (that being the garrison next bordering to New Yorke) for the prevention of any further hostilities between them and us.

This being the state of the whole matter as it has been heard by us, We are most humbly of opinion that your Majesty would be pleased thereupon to refer the same to your Majesty's Atturney General to consider and report to your Majesty what further proceedings may be had upon any of the foresaid articles, where with Colonel Fletcher has been charged, for your Majesty's directions therein.

All which nevertheless is most
humbly submitted
(signed) J Bridgewater
Tankerville
Ph. Meadows
Wm Blathwayt
Jno Pollexfen
Abr: Hill.

Whitehall
March the 9th 169$\frac{8}{9}$

Earl of Bellomont to the Lords of Trade.

[New-York Entries, B. 342.]

To the Right Honourable the Lords Commissioners for Trade and Plantations

My Lords.

By perusing the papers I send with this letter your Lordships will be informed particularly of our Indian Affairs, which papers I refer to, in order of time.

In that paper indorsed (a Message to the Five Nations of Indians the 26th December 1698) and (N° 1) your Lordships will find that the Commissioners who are all the Magistrates of Albany notifie to the Five Nations of Indians, the death of the Count de Frontenac Governor of Canada, and by the messengers they send do expostulate with the Indians about their having sent to treat with the Governor of Canada about the release of some prisoners, contrary to their promise to me when I had the conference with them at Albany.

The next is the proposition of two Indian Sachems (N° 2) whereof Decanissore is one, a brave fighting fellow that has done the French much mischief, and they have mightily indeavoured to debauch him from us, but in vain. His errand mightily allarms the Magistrates of Albany, which produces a consultation among them and their request to three of their body to go to the Indian Castles to disswade our Indians from going or sending to treat with the Governor of Canada for the delivering some few of our Indians that are prisoners with the French, and that request of theirs goes (N° 3.) Colonel Schuyler's letter giving me an account of a message from our Indians by John Baptist who was sent to 'em from Albany goes (N° 4) and the result of that Message (N° 5) three minutes of Councill and two minutes relating to a conference between the Councill and the House of Representatives about the preparing instructions for our messengers to the Five Nations, which are all set down in the same paper are (N° 6.) then follows the said instructions to our messengers (N° 7) The foregoing papers contain every thing that has been transacted between the Indians and me since I last writ to your Lordships, and 'tis easy to perceive by these papers that the Indians are very much disturbed and terrified by the French, which proceeds I find from two reasons cheifly, their own decrease in number & strength being reduced from near 3500 men that they were at the beginning of the war, to about 1100 men now. Then the slender appearance we make on the Frontier in the poornesse of our forts, and the weakness of our garrisons, which makes us comtemptible in their eyes; whereas the French at Canada allure 'em chiefly by the good figure they make, and severall good forts of stone, and especially Cadaraque Fort which Colonel Fletcher neglected two years together to demolish when the French had deserted it, as I formerly acquainted your Lordships: that fort lying so on the skirts of our Indians as to incommode them extreamly in time of war; so that upon the whole matter 'tis apprehended by the most knowing people here, that we shall intirely loose the Five Nations of Indians, unlesse an effectuall and speedy course be taken to retreive their affection. Which course must be (with submission) the building good stone forts at Albany and Schenectade, which may be done in both places for eight or nine thousand pounds according to Colonel Romer's computation as I formerly observed to your Lordships, and by keeping good garrisons in those places. I am so strongly perswaded your Lordships will be convinced by that cogent argument necessity, and will send me orders for building those forts, that I intend very speedily to order the raising of stone for making the walls of each fort, and for burning lime; and tho' our

Treasury is very poor and much indebted, I will pinch money any manner of way from other uses, rather than this so necessary work shall be delay'd. The providing for it will be some incouragement to our Indians, and likewise to our own people, who think that if we loose our Indians, they shall be undone and the Province will be lost; and indeed I am of their mind.

I have spent much thought how to find out and settle a trade with new Indians, which I believe may be done; for which end I have discours'd severall people here, and M^r^ Livingston among others, and his memorial on that subject goes herewith (N° 8.) I should be glad we could bring that trade to New Yorke with the Indians he proposes, it would be for the advantage of this Province and somewhat for my credit too. But as it 'tis the interest of England I chiefly meditate I reckon I should abuse your Lordships if I did not freely own to you that Carolina lyes infinitely more commodious for a trade with those Nations of Indians which are called the Shateras[1] Twichtwicht[2] and Dowaganhas[3] Indians and a world of other nations, which some of our Indians at Albany told me were as numerous as the sand on the sea shoar. 'Tis if I mistake not in the country of the Dowaganhas that the French have built a fort under the conduct of Mons^r^ de Tonti[4] where they keep a garrison of 30 men, but with that little fort & garrison by the help of their missionaries and the trade thither from Canada, they make a shift to manage a very profitable trade with those nations. 'Tis not agreeable to reason that we from this Province can so conveniently trade with those Indians as the people of Carolina may, we having 700 miles to goe and they not above a 100 or a 150; and to be sure they can afford English goods as cheap as we, and either of us much cheaper than the French. If it be not too great a presumption I should advise your Lordships directing the Governour of Carolina to apply himself industriously to open a trade with those Indians. Here is a gentleman now in this town who was a few years since among them with some other English there to trade, and he to look for mines. He tells me they were very fond of English commodities. The French of Canada most certainly play us foul play with relation to our Five Nations: what they cannot do by enticement, I mean debauching them away to go and live in Canada, they destroy clandestinly by their Indians in hunting; they directing, as I am told, their Indians when they meet them, to knock 'em on the head; by which means ours must soon be totally destroyed. Therefore it is that I propose to your Lordships the finding out, now in time of peace, a trade with those remote nations. Surely the French will not pretend to the propriety of that vast country, or if they should, would England truckle to 'em. I have been so free with Colonel Nicholson and Colonel Blakiston, Governors of Virginia and Maryland, as to put them in mind of opening a trade with the Indians that lye at the back of those countries; perhaps they may think me impertinent to pretend to advise them.

Some people at Albany are jealous that M^r^ Dellius, the Dutch Minister there, betrayed us when he went with Colonel Schuyler to notifie the peace to the Governor of Canada, and I confess I am not free from a jealousie myself, when I consider how extraordinary desirous he was to be sent to Canada: in the next place that the Governor sent afterwards to four of the Five Nations to offer them peace, but excluded the nation of Mohacks, which was a surprizing thing to all people here, and never known to be done by the French before. I do assure your Lordships that man is capable of any mischief whatsoever. I acquainted you after my return from Albany last summer of his circumventing the Mohacks, and what Impudent lyes he told

[1] Qu. Toteros. See Vol. III., 194, *Note.*

[2] Miamis. *Ibid.*, 431, *Note* 3.

[3] Outawas were so called by the English. *Colden's Five Nations*, 42.

[4] M. de Tonti was commander at Michilimakinac in the summer of 1698. *La Potherie Hist. de l'Amer.* IV., 97. — Ed.

me before the Magistrates of Albany. Since that my Lieutenant Governor being sent by me to Albany to watch the French who threatned to make an invasion on our Indians, he indeavoured to make a breach between him and me, and invented an untruth to put my Lieutenant Governor out with some honest men at Albany, whom he had a pique to, as my Lieutenant Governor's certificate will shew, which goes (N° 9.) and which he found out M^r^ Dellius had forg'd in prejudice to those men. He has for several years kept a correspondence with the Jesuites at Canada, which gave people a jealousie he was popishly affected. In Captain Leisler's time there was a letter intercepted from a French Jesuit at Canada to a Jesuite that was on a mission to our Five Nations. The Messenger that carryed the letter had an instruction wherein some papers were mentioned, and Captain Leisler thinking it fit for the King's service to have a sight of those papers, and the letter and instructions leading him to beleive M^r^ Dellius was privy to that matter and knew where the papers were, sent to him att Albany to come to him here at New Yorke. M^r^ Dellius fled and was absent till Leisler was made a prisoner by Colonel Slaughter, and then he had the courage to appear and contribute all he could, with Bayard and Nichols, to bring Leisler and Milburn to their unfortunate end. This letter of the Jesuits I was very curious to see and made much inquiry after it, yet could not get a sight of it: Several people that had seen it recommending it to me as a very suspicious article against Dellius. At last I ordered it to be searched for in the Secretary's Office, and being there found it was brought to me. I send your Lordships a true copy of it (N° 10.)[1] His Dutch name is Dell, as in the letter, but it seems in the schools in Holland 'tis the custome to make the names Latin at least of those that are bred Divines; therefore he goes by the name of Dellius. He is a most proud wicked man, and so contentious that he has divided the people at Albany into factions and parties, who would otherwise have been all united. A man of his own party, that is, of the contrary party to Leisler, and a dweller at Albany, own'd to me that Dellius kept up divisions among the people there, and that it were happy if he were out of the Province; and I am told the Assembly intend, for the scandall of his life and his fraud to the Mohack Indians, to expell him the Province. He has, as I formerly wrote to your Lordships, a personall hatred to the King, and has spoke very reproachfully of his Majesty; till my going to Albany he never would pray for King William (and that made the quarrell between Captain Leisler and him) but because he would be safe, his manner was always in the pulpit to pray for the Crown of England. I must beg leave to trouble your Lordships patience with an instance of Dellius's wickedness, that besides what I have now in this letter and formerly observed to your Lordships about him, comes within my knowledge. The present Mayor of Albany and two or three other honest men of that town were much peck'd at by Dellius and persecuted, insomuch as he threatned to excommunicate them, whereupon they forsook his church. The Mayor coming here to York told me this, but I perswaded him at his returne to be reconciled to Dellius, and since there was no other Minister, to go and hear him preach. Accordingly at his returne to Albany he imployed one to reconcile Dellius to him, but Dellius sent him word by the third person so imployed to make peace between 'em, 'twas in vain to seek a reconciliation with him, and so refused absolutely. I can prove by the oaths of very credible persons severall immoralities of his life as Drunkennesse and the like, but having proved enough against him already I will forbear troubling your Lordships further about him, and should not have been so particular concerning him in this letter, but that I understand there are letters newly come to

[1] Ante, Vol. III, 714.

this town from Bayard in England wherein he makes the faction here believe that his complaints against me have been very favourably heard by your Lordships; that Colonel Fletcher upon a hearing before your Board in answer to the accusations I sent over against him was cleared, and that there would be an order sent to me to cancell the bond of £10000. which he and his securitys entred into; that there was a petition to your Lordships against me signed by a great number of merchants in London and that a Minister was sent by the Classis at Amsterdam to complain of me for my ill usage of Mr Dellius. This news from Bayard has much heartned the factious people here, and they hope the interest of the Classis of Divines at Amsterdam will ruine my interest at Court. And Mr Vesey the Minister here has told me he has been urged very much by the angry people here to complain home of my designe in vacating Colonel Fletcher's lease to the church here, of the Governor's demesne called the King's farm; and by other hands I am told they propose to raise a storm against me upon this very account and to imbroil me with the Bishop of London:—and they argue thus, Sir Edmund Andros for quarreling with Doctr Blair in Virginia brought the resentment of the Bishop of London and the Church (they say) on his head, which is the reason he has lost his government, and by the same rule they would get me recalled by making this a church quarrell. But give me leave to informe your Lordships rightly of this matter. Colonel Fletcher would never part with this farm during his owne government, untill November '97. that he heard for certain I had the Kings Commission for this government, and then he makes this lease to the Church and antedates it in August; so that his kindness to the Church was to be at his successors cost, not at his own. Besides Mr Attorney Generall assures me that in Colonel Dongan's time, he, to make his court to King James desires this Farm might be appropriated to the maintenance of a Jesuit school; but King James (bigot tho' he was) refused, saying he would not have his Governors deprived of their conveniencies. As to Mr Bayard's complaint against me when I know what it is I doubt not to answer it to your Lordships satisfaction in all points. And as to the petition of some merchants in London against me, I cannot conceive upon what they ground their complaint, or who the persons are, but I must believe there is something personall in their prejudice to me. I know there is a sort of men called Jacobites that hate me for severall reasons, and one is because I don't love them. I did imagine that the suppressing of piracy here and checking unlawfull trade, would render me odious to the merchants in London; but so long as I walk by the rule of the law, and have the testimony of a good conscience nothing can daunt me; and when the King is dissatisfied with my services here, I obey the least breath of a command from his Majesty, and in all circumstances will preserve a steady and inviolable duty for his Majesty's person and government. I am with great respect, My Lords

Your Lordships most humble & obedient Servant

New Yorke
April the 13th 1699

BELLOMONT.

Message from the Commissioners of Indian Affairs.

[New-York Papers, E. F. G., G. 2.]

At the Citty Hall of Albany y^e^ 26^th^ Dec^r^ 1698.

PRESENT—Hend: Hanse Esq. May^r^ The Aldermen & Sherriff
Jan Janse Bleeker Record^r^ Maj^r^ Dirk Wessells
Capt. J. Weems.

The May^r^ & Aldermen with the Comanding officer of this garrison were convened at y^e^ request of Côl. Peter Schuyler and Rob^t^ Livingston two of y^e^ Com^rs^ appointed by his Excêl. y^e^ Govern^r^ to manage y^e^ Indian affaires, who proposed to be requisite, since some Indians were in towne, to send a message to y^e^ 5 Nations, as follows, viz^t^

First to acquaint them that some Gênt. have been here lately from Canada with y^e^ news of Gov^r^ Frontenac's death, & that one of the said persons is gone to New Yorke in order for his voyage to France to communicate the same there and that Mons^r^ de Calliere Gov^r^ of Mont Royall hath y^e^ present command

2. That y^e^ French gent^l^ informes us that some of y^e^ 5 Nations have sent a messenger to y^e^ Gov^r^ of Canada, with belts of Wampum to treat with him contrary to their faith & promise & engagement they made with his Excêl. the Earl of Bellomont (w^ch^ we cannot believe) and therefore send now to know the truth of this matter and that such Castle or Castles as have a hand in this fact may send down a Sachim with all speed hither, to give us an acco^t^ of that negociation, to y^e^ end we may render an acco^t^ thereof to his Excêl the Govern^r^.

They desire the opinion of the Gêntl. in this matter and that twice seaven hands of Wampum may be sent with y^e^ said two propositions with all expedition.

The said two articles were approved of by all y^e^ Gêntl. and concluded to send to y^e^ 5 Nations accordingly; whereupon Canondaghkira a Maquase Sachim was sent for, and two times seaven hands of Wampum given him, who promised to send the message foward to all the nations, and the messenger that was to carry the same was promised a match coat

ROBT. LIVINGSTON Sêcry: for y^e^
Indian Affaires.

A true Copy
(signed) BELLOMONT.

Propositions by the Sachems of Onondaga and Oneida.

[New-York Papers, E. F. G., G. 3]

Interpreted by Hilletie Van Olinda.

Propositions made by Dekanissore a Sachim of Onnondage & Carondowanne one of y^e^ Sachims of Oneyde; in Albany y^e^ 3^d^ February $169\frac{8}{9}$.

PRESENT—Coll. P^e^ Schuyler — Maj^r^ Dirk Wessells.
Hend. Hanse May^r^ — Capt James Weems
Jan Janser Bleeker Record^r^

Dekanissore, Speaker.

I am now come to speak that which wilbe very unpleasing to you.

A certain Indian of our Castle called Cohensiowanne did apply himself to us and said that since Corlaer had told it was peace, he was inclined to go & see his father at Canada, w^ch^ proposal was debated among the Sachims, and some were of opinion that he should carry a belt of Wampum with him; but y^e^ Sachims at last came to this conclusion, saying, why should we send any belts to y^e^ French, since it is expressly forbid by our great brother Corlaer viz^t^ His Excél. y^e^ Earle of Bellomont Govern^r^ of New Yorke &^c^ to have any correspondence with them: and so no belts were sent but y^e^ said Indian with his brother proceeded on their journey, & comeing to Fort le Chene 3 leagues above Mont Royal, he see a squaw makeing Indian shoes, who said she had made that day thirty pair; he inquired what she made the shoes for, she replyed we are imployed about makeing shoes, I have made 60 paire, and in such a place there is 60 paire made, and so all along the Coast; y^e^ said Indian came further to y^e^ French praying Indian Fort; they asked him what his business was, he told them he was come to see his father (for his father lived at Canada) y^e^ French Indians asked him, why the Sachims were not come to treat with the French; he replyed that Corlaer had forbid it, and also that there had been a very deep snow which had hindered them. The said Indian went from the Indian Castle to Mont Royall to the house of M^r^ Maricour called by the Indians Stow Stow, and no sooner was he come in, but a messenger from the Govern^r^ came for him, upon w^ch^ he said, how does the Govern^r^ know I am here; the messenger told him he knew it as soon as you arrived at the Indian Castle, he asked Stow Stow how it was with their prisoners, who told him they were still in prison, Stow Stow asked the said Indian whether he had any Belts from the Five Nations, he told him no, then said Stow Stow belts of Wampum must be very dear with you that you bring none.

Stow Stow asked the Indian further what news Capt: Johannes Schuyler had brought to Albany when he returned from Canada, the Indian told him that Capt. Schuyler said he had heard that our prisoners would be sett at liberty in 4 dayes time; then said Stow Stow he is a wicked man, for he hath secured them faster than ever, yea he hath clinched them with silver nailes, nay I was concerned that Capt. Schuyler should take so much pains to detain said Indians; I asked said Schuyler who caused said Indians to be kept so in prison, Capt Schuyler answered because the 5 Nations were disobedient, Stow Stow asked why the Sachims of the 5 Nations did not come to Canada, Capt. Schuyler replyed here is the 5 Nations, and pointed to a negroe he had with him, Stow Stow replyed, why dispise you the 5 Nations so, they are none of your subjects, we have fought & taken severall of their Castles & subdued them, but we never saw any of y^e^ King of Englands subjects that did assist or could rescue them.

Stow Stow asked Cohensiowanne the Indian, how the Govern^{r} of New York called the 5 Nations, he answered, Brethren; Stow Stow said, wee call them Children, as we do all those under our subjection & treat them as such; you are called Brethren, but you are treated like servants, yea worse than soldiers who are punished for the least offence.

The said Indian asked Stow Stow why they did not release their 5 Indians; he replyed that it was not in their power, it lay in the breast of the Govern^{r} and said further, why do not your Sachims come here and release them, but you are no better than Slaves to y^{e} Gov^{r} of New York, you dare not come. Now I will give you good advice, w^{ch} if you follow you shall have your prisoners; goe to your country and bring Sonaktowanne along with you: whereupon he replyed shall I have nothing to carry along with yow.[1] Stow Stow replyed, goe to your Father at Canosodage, a Castle of the French praying Indians, and he will tell you what you shall doe. The Indian went there, where he found his father, and all the praying Indians mett together in the Castle, who gave him two Belts of Wampum to go to the 4 Nations, viz^{t} the Oneydes Onondages Cayouges & Sinnekes, & to tell them this was the last time they were bid to come & treat with y^{e} Gov^{r} of Canada, & they would warne them no more for they were worse than beasts, & tell the Cayouges &. Oneydes that they are ungratefull creatures, for the Onnondages have often releived of their people, & now when your people of Onnondage & Sinnekes are prisoners no body lookes after them; therefore if you are minded to have your people tell the Sachims to come. And the said praying Indians charged the said Indian not to tell the Christians of this governm^{t} nor the Maquase of what had passed between them.

The said Indian upon his returne to Fort le Chine the officer thereof told him to make haste home, & warne his people to have a care how they went out a hunting, for there were 300 of the Rondaxe that is Canada Indians at such a place and 300 at another place; for the Govern^{r} of Canada hath not taken the hatchet out of their hands & so they will kill you.

The said Indian returned to Onnondage, told all what had passed, whereupon the Sachims of Onnondage said to the Sachims of the other Three Nations that it was now their business to consult what way to get their prisoners releived, for the Onnondages were those that suffered, and whether it was not requisite to send messengers to Canada, and whether the matter should be communicated to the Govern^{r} of New York and the Gêntl. of Albany, and the Maquasse.

Dekanissore said further

Now Bretheren we have told you all what is passed, and you hear how the French accuse you, which is occasioned by the sending messengers alone to Canada without some of the 5 Nations with you. Wee have concluded to send three messengers to the French, to treat with the Govern^{r} of Canada, viz^{t} one Oneyde, one Onnondage, one Cayouge (for y^{e} Sinnekes will send none) and that about our prisoners, w^{ch} wee now acquaint you with, and withall that the said messengers have three Belts of Wampum along with them & four French prisoners, by which 3 Belts they desire their 5 prisoners & that Comissioners may be appointed by the Govern^{r} of Canada to meet Comissioner of y^{e} Govern^{r} of New York at Albany to treat of y^{e} peace that y^{e} hatchets may be buried, since they have suffered extreamly & had many people killed since the proclamation of peace.

The Gêntl. being so extreemely surprised to hear Dekanissore tell this, stopt him in his discourse & asked him whether the said messengers were gone or not, since they could not

[1] *Sic.* qu^{e} Me.

beleive that y^e^ Indians had so much forgot themselves to truckle to y^e^ French & disobey the Govern^rs^ cómands and break their faith & promise, and be so credulous to beleive these false storys of the French & therefore desired to know whether they could be overtaken.

Dekanissore said they were not gone when he left y^e^ Castle but were to goe speedily, their provisions being makeing ready & that some weomen went along with them, part of their way to bring back venison, since the messengers designed to hunt by the way.

Whereupon it was resolved to send away Jan Baptist the Interpreter and an Indian forthwith post to tell the Sachims at Onnondage that Col. Schuyler and some other Gêntl. were comeing to treat w^th^ them at Onnondage, and to stop the messengers if not gone, else to pursue them and bring them back.

It was further resolved to send for the Aldermen & Sherriff for their opinion in this matter of such weight.

Capt. Johannes Schuyler, John Vinnagen, Wessel ten Broek & John Cuyler, aldermen, & y^e^ Sherriff being mett, concurr in y^e^ opinion of the other Gêntl. to send an express forthwith to stopp the messengers or bring them back if they be gone.

Whereupon John Baptist was dispatcht & ordered to make w^t^ hast he could to Onnondage with an Indian that was ordered [with] him, and to tell the Sachims there, that they were charged not to suffer the said Messengers to goe to Canada, nor to send any French prisoners, and if it should happen that they were gone, to cause Indians forthwith to pursue them & bring them back, & that all the Sachims of the 5 Nations meet at Onnondage, where Col. Schuyler and some other Gêntl. from Albany will meet & treat with them about that affaire.

Carondowanne the Indian of Oneyde seeing all the Gêntl. so much displeased at their proceedings told Dekannissore, I always was of opinion & many more with me that this method of sending to Canada would be very displeasing to our Bretheren y^e^ Christians, yet many of our people, that talk loud, were much for it.

Rob^t^ Livingston Sêcry for
the Indian Affaires.

Presentibus
omnibus

Albany y^e^ 5^o^ of February 169$\frac{8}{9}$

The Gêntl. being convened together for y^e^ nominateing fitt persons to be sent to Onnondage to treat with the Indians and hinder y^e^ 5 Nations further negotiation with the French; Col. Schuyler was pitched upon with one more, either May^r^ or Major Wessells, but Col. Schuyler declared not to be inclined to goe without two, so both Hendrick Hanse May^r^ & major Wessels were pitcht upon, who would prepare themselves accordingly.

It was also proposed if it were requisite that two should be sent to Onnondage to watch the motion of the Indians and send us an acco^t^ of their proceedings; where upon John Baptist the Interpreter and Johannes Glin jun^r^ were thought fitt men for that purpose & will reside there till his Excêll y^e^ Earle of Bellomonts pleasure be further knowne.

Robt. Livingston Sêcry for y^e^
Indian Affaires

Albany the 6th Febry. 169$\frac{8}{9}$

PRESENT—Coll. Pr Schuyler, Hend: Hanse Mayr, Majr Dirk Wessels, Jan. Vinnagen, Albert Ryckman, Johannes Cuyler, Hend: Van Renselaer } Aldn

J. Groenendyck Sheriff.

The Gêntl. were convened upon the request of Capt. Johannes Schuyler who sent for the six Frenchmen lately come from Canada & two French Indians to be present while Dekanissore the Sachim should be examined about those false and scandalous aspersions that Mor Maricour âls Stow Stow should have reported of him to Cohonsiowanne the Indian lately come from Canada; and that part of the proposition relateing to Capt. Johannes Schuyler was read and interpreted to Dekanissore. Upon which Capt. Johannes Schuyler did declare in the presence of all the Gêntl. to the said six French men, and the two Canada Indians that if Mor Maricour had told such false lyes and storys to ye Indians, of him, vizt that the said Capt. Schuyler should have secured our five Indians there in prison, faster then they were before & clinched them with silver nailes, and that the Five Nations were disobedient & compared them to his Negro, that if Mor Maricour had said so he was neither a gentlemen nor an honest man; for they were scandalous and malitious falsehoods; for he never had any discourse with him tending that way. Whereupon the Frenchmen said they beleived it was a scandall raised upon Mor Maricour & meer inventions of ye Indians, and the two French Indians said it was invented by some evill affected people of the 5 Nations who had no mind to be reconciled to ye French and so designed to raise animosities between the two governmts: by which discourse & Capt: Schuylers confronting the said Indians, Dekanissore and ye other Sachim of Oneyde seemed to be satisfyed that Capt: Schuyler had no hand in what was alleadged against him.

ROBT. LIVINGSTON Sêcry for ye Indian Affaires.

A true Copy

(signed) BELLOMONT.

Instructions from the Magistrates of Albany to Messrs. Schuyler, Hanse and Wessels.

[New-York Papers, E. F. G., G. 4.]

To Coll. Pr Schuyler, Hend: Hanse Esqr Mayr, Majr Dirk Wessels.

Gêntl.

Haveing considered our last intelligence by Dekanissore ye Sachim from Onnondage, concerning ye resolution of the Upper Nations vizt ye Oneydes Onondages & Cayouges, sending messengers & French prisoners to Canada to treat wth the French contrary to his Excêll. ye Earl of Bellomonts expresse cômands & the promise & engagemt of ye said Nations, The Recorder Aldermen & sherriff of ye City of Albany & also ye comanding Officer of this garrison are unanimously of opinion that it will be requisite for his Mâties Service that you goe

with all expedition to Onnondage and use all the arguments you can possible think of, to diswade y^e^ said Indians from keeping any correspondence with y^e^ French of Canada, & if any messengers be gone already as we are informed they are, that you cause them to be pursued after & brought back. Your great busines is to perswade them to break off holding any correspondence with y^e^ French & sending to Canada; for w^ch^ end you shall insinuate to them y^e^ antient Covenant Chain, so often renewed here at Albany, particularly this last sûmer with his Excêl. y^e^ Earl of Bellomont, when it was confirmed with greater earnestnesse then ever, & y^e^ 5 Nations then promised faithfully they would never treat with y^e^ French, yea it should be looked upon as a breach of y^e^ Covenant Chain if they did. Put them in mind that Albany has of old been y^e^ place of treaty with y^e^ 5 Nations, & that it was concluded last sûmer if there was any solemn negotiation with y^e^ French about y^e^ prisoners it was to be at Albany, when y^e^ Sachims of y^e^ 5 Nations should have advertisement of it & send Delegates hither to be present at y^e^ negotiation; & y^e^ 5 Nations cannot but remember how that they have already delivered up 5 prisoners when y^e^ Lieut. Gov^r^ was here, in order that there may be a general exchange.

That this goverm^t^ hath always been true and stedfast to them y^t^ on y^e^ contrary the French have alwayes been perfidious to them, & they spoke of peace they had warr in their hearts, instance Cadarachqui

That y^e^ Gov^r^ of Canada doth expect they shall come to him & aske peace & forgivenesse & become his children & slaves, whilst in y^e^ mean time he is afraide of their greatnesse.

That you aske them if they can instance any one thing wherein they have found this goverm^t^ unfaithfull to them.

That y^e^ French have alwayes done the first mischeife even in time peace & ought to begg their pardon & forgivenesse in their owne countrey if they desire it.

That they are the subjects of y^e^ Great King of England who has made peace with the French King in Europe, and therefore there is no necessity of their makeing peace with y^e^ French of Canada: it would be a bold presumption & preposterous, & contrary to y^e^ Covenant Chain.

Tell that it is against the hon^r^ of their ancestors to truckle to y^e^ French, & their goeing to Canada for peace will be a mark that they are in y^e^ wrong, & bring them and posterity into perpetuall infamy & slavery to the French for ever hereafter

That they must not suffer their private Indians to goe and have any communication with y^e^ French at Canada, for they desire no better advantage then to infuse a thousand lyes & storyes into their heads on purpose to perplex them & raise jealousies to make them uneasy; witnesse the last Indian Cohonsiowanne's goeing, & those fulsome nasty lyeing storyes he brought back, that Stow Stow should have told him of Capt. Schuyler; & tell them how the French that were here, were confronted by Capt. Schuyler in y^e^ presence of Dekanissore & two French praying Indians. As for the French threatnings that there should be so many Rondax Indians lyeing in waite for them in their hunting places, they know it to be false, there not being half the number in all Canada; & tell them to remember what the Earl of Bellomont told them, if any body disturbs them & kills their people, they are to resist force with force & defend themselves. As for their 5 prisoners that are still in custody that they are so much concerned for; tell them that they need not fear but the Earl of Bellomont our Gov^r^ will take effectuall means to have them delivered up, that the French use this meanes to cause y^e^ 4 Nations to stoop to them and to bragg to their King that they have subdued the 5 Nations and forced them to come to their termes.

That it is against the Articles of peace for the French to detaine any of the King of England's subjects prisoners, & therefore endeavor to break them off from y^e^ treaty & correspondence

with the French till y^e^ Spring, that my Lord may be advertised of their intentions, and that by all meanes you obstruct any positive agreement; but gaine time as much as may be, & hinder their sending Com^rs^ to Canada.

You are to take some of the Maquasse Sachims from y^e^ Maquasse Country with you to Onnondaga, & also some of the Oneydes that they be witness to all what passes & endeavour to convince them of the evil consequence of this sending.

You are to leave Jan Baptist Van Eps, the Interpreter & Johannes Glin at Onnondage to watch the motion of the said Indians that they send no body to Canada, nor receive any messengers from thence to induce them to go thither.

If you understand by y^e^ way from Jan Baptist y^e^ Interpreter, who is sent thither, that y^e^ messengers are gone to Canada & no retreiving of them, then you are to send to all y^e^ 5 Nations that they send down their Sachims here to Albany to meet the Gov^r^ or some commissioned by him, in sixty dayes time.

You have herewith y^e^ printed propositions that passed betweene his Excêll. y^e^ Earl of Bellomont our Gov^r^ & y^e^ 5 Nations in July last, for to refresh your memory; but in regard it is impossible to furnish you with such arguments as may be necessary to expostulate with y^e^ Indians, it is left to your discretion to use all your art and skill by faire meanes or otherwayes as you shall see occasion, to hinder and prevent their keeping any Correspondence with y^e^ French of Canada, & if the Indians upbraide you because messengers have been sent twice from this goverm^t^ you may tell them that when Col. Schuyler & M^r^ Dellius went, it was to acquaint them of the peace, & in pursuance to the articles of peace to exchange prisoners, & when Capt. John Schuyler went to Canada it was merely to satisfy y^e^ 5 Nations that there was no such thing as an army comeing against them, as Dekanissore & the rest of the Sachims did apprehend.

Wee [do] not put you in minde of keeping an exact journal of all your proceedings, since your experience & prudence will sufficiently direct you; & herewith shall conclude, wishing you a good journey.

Rob^t^ Livingston Sêcry for y^e^
Indian affaires

A true Copy

(signed) Bellomont.

[4. Feby 169$\frac{8}{9}$.]

Message from the Indians at Onondaga.

[New-York Papers, E. F. G., G 6.]

Onnondage y^e^ 21^st^ of March 169$\frac{8}{9}$

The messengers sent by Onnondage and Oneyde to Canada this winter with Belts of Wampum to treat with the French arrived this day with five Belts of Wampum, who gave the following report about the negociation w^th^ y^e^ Govern^r^ of Canada.

By the first Belt Mons^r^ de Collier Govern^r^ of Canada doth say, I thank my children that they are come here to Canada, since your Father is dead; meaning Count Frontdnoc.

The second Belt says, why were you affraid to come to Canada; y^e^ Messengers answered because they heard continually that his kitle boyl'd still, & that his hatchet was very sharp: the Governour of Canada replyed, that he did not dissemble, for what they had heard was the truth.

The third Belt says, y^t^ y^e^ prisoners shall be redeem'd on both sides.

The fourth Belt, the Govern^r^ of Canada asked the Messengers if they were of the Cheife Sachims of the Five Nations; whereupon Oraadgion y^e^ Indian answered that they were the cheifest att present because the others were dead. Then said Mons^r^ Marricour our fore fathers have allwayes had their mettings in Onnondage, (being the center of the 5 Nations) to consult w^th^ on another, w^ch^ we seek to continue; therefore break off w^th^ Corlaer the Govern^r^ of New York since he endeavo^rs^ to send you all to Hell, for he will not admit of any priests in your country; therefore come to your Father and lett our place of speaking or treaty be here.

W^th^ y^e^ fifth Belt he demanded a Mahikander Indian who is att Onnondage a prisoner, and two Rondax or Canada Indians y^t^ are att Cayouge w^th^ the French prisoners that are still at Albany; fetch y^m^ from thence and come here in 60 dayes time to Canada that I may satisfie you for the loss you have sustained, and that I may be satisfied you are sent by the Five Nations and have spoke of peace; then I will send for Lamberville the Jesuit who is now in France, and send him and Father Bruyas to Onnondage & Oneyde and w^th^ all acquaint the King of France my master how y^t^ you have been here to speak of peace

Then the messengers came to the French praying Indians who spoke to y^m^ w^th^ five fathom of white Wampum, and said, goe not over the Lake to hunt bever for we know not y^e^ intensions of y^e^ Rondox or French Indians.

Whereupon the Four Nations, viz^t^ the Sinnekes, Cayouges, Onnondages & Oneydes spoke to Jn^o^ Baptist w^th^ seven hands of Wampum and told him to tell the Maquasse Sachims to appear at Onnondages in 25. days time att a generall meeting of all the Sachims of the Five Nations, and also gave the s^d^ Jn^o^ Baptist y^e^ Interpreter a Belt of Wampum to give to his Excell: y^e^ Earle of Bellomont, w^ch^ was to signifie that they desired that Coll. Peter Schuyler and Major Dirk Wessells should be present att their said Gen^ll^ meeting

JOHN BAPTIST.

A true Copy

(signed) BELLOMONT.

The Council and Assembly of New-York to Messrs. Schuyler and Bleeker.

[New-York Papers, E. F. G. G 8; N. Y. Assembly Journ. I., 99.]

Instructions agreed on by a Committee of the Council and House of Representatives to be sent by Capt John Schuyler & Capt. John Bleaker or such other gentlemen as his Excellency shall be pleased to appoint to goe to Onnondage; humbly offered to y^e^ Earle of Bellomont's consideration

You are to goe to Onnondage with all expedition and acquaint y^e^ Sachims of y^e^ Five Nations in their generall meeting that their sending Messengers to treat with the French of Canada is

very ill taken by his Excellency being of bad consequence; and use all the arguments possible to disswade them firmly from y^e^ like ill practices for the future.

Your cheife businesse will be to perswade them to break of holding any correspondence with y^e^ French; for which purpose you must insinuate to them the antient Covenant chain so often renewed att Albany, particularly this last summer with his Excellency, when itt was confirmed with greater earnestness then ever, and y^e^ Five Nations then promised faithfully they would never fail of their duty and obedience to this government, and never treat with y^e^ French any more, and itt was concluded last summer if there was any solemn negociation with y^e^ French about y^e^ prisoners, that itt was to be att Albany, when y^e^ Sachims of the Five Nations should have advertisement of itt, in order that they might impower some of their Sachims to come to Albany to be present att the Negotiation. And the Five Nations cannot but remember how that they have already delivered up five prisoners when the Lieu^t^ Governour was there, in order y^t^ there may be a general exchange.

That this governm^t^ hath allwayes extended their care and protection over them, that on y^e^ contrary y^e^ French have allwayes been perfidius to them, and when they speake of peace they had war in their hearts, instance Cadarachqui

You must tell them they go to Canada to ask peace and forgiveness, whilst in y^e^ mean time the French are afraid of them. Ask the Five Nations if they can instance any one thing wherein they have found this government unfaithfull to them.

That the French have allways done y^e^ first mischief when in time of peace, and ought to beg their pardon and forgiveness in their own Country if they desire itt

Tell them that they are subjects of the Great King of England who has made peace with the French King in Europe, w^ch^ includes all his Majesties subjects, and therefore they ought to depend upon that peace soe made and that his Majesty of Great Brittain & this Governm will at all times justifie their being such, and protect them as such.

Tell that it is against the honour of their ancestors to truckle to the French, and their going to Canada for peace will be a marke that they are in y^e^ wrong and bring them and posterity into perpetuall infamy and slavery to the French for ever hereafter.

That they must not suffer their private Indians to go and have any communication with y^e^ French att Canada; for they desire no better advantage then to infuse lyes and stories into their heads on purpose to perplex them, & raise jealousies to make them uneasie.

As for y^e^ French Praying Indians telling y^e^ Five Nations not to hunt over y^e^ Lake for fear of the Rondax Indians is a mere scare-crow to obstruct their trade, & by such meanes to keep them poor and despicable, which they are no ways to regard; but if any disturb them in their country or hunting, lett them resist force with force & defend themselves.

Tell them they need not fear but all effectual means will be taken to release the two Indians still detained by the French Governour, and itt will be resented by the King of England the keepeing of his subjects prisoners, contrary to y^e^ articles of peace; and make strict inquiry how they have used those prisoners lately sett free.

You are to leave Jan Baptist and Arnout[1] y^e^ Interpreter att Onnondage, to watch y^e^ motion of y^e^ said Indians that they send no body to Canada, nor receive any messengers from them to induce them to goe thither.

You are to use all your endeavours to perswade the Sachims to come to Albany, as formerly was proposed, and if they will bring the prisoners with them, lett them do itt, and protest

[1] Arnout Cornelisse Vielle. *N. Y. Counc. Min.* VIII., Part ii., 11.

against their going with the prisoners directly from their country to Canada, & tell them if they do, itt shall be taken as a violation of the Covenant chain.

You have herewith the printed propositions y^t passed between his Excellency and y^e Five Nations att Albany in July last, for to refresh your memory, but in regard itt is impossible to furnish you with such arguments as may be necessary to expostulate with the Indians, itt is left to your discretion to use all your art and skill by fair means or otherwise as you shall see occasion, to hinder and prevent their keeping any correspondence with y^e French of Canada. And if the Indians upbraid you, because messengers have been sent twice from this government you may tell them that when Coll. Schuyler and M^r Dellius went itt was to acquaint them of y^e peace and in pursuance of ye articles of peace to exchange prisoners; and when Capt. John Schuyler went to Canada itt was to satisfy y^e Five Nations that there was no such thing as any army coming against them as Dekanissore and the rest of y^e Sachims did apprehend. And if they alleadge that Abraham Schuyler and three more were at Canada this winter, you may tell them itt was to see what their messengers did there, who went contrary to their engagements and promise made to his Excellency last summer.

As to what y^e French observed to them relateing to y^e sending of Jesuits to them in order to make them Christians, that if they be desirous to be instructed in y^e Christian religion, this government will take care to provide fitt persons for that end. Therefore you must by all means perswade them not to suffer any Jesuits to live among them, for this government cannot allow of any such thing.

[7^th April 1699.]

A true Copy

(signed) BELLOMONT.

Memorial of Robert Livingston recommending a Trade with the Western Indians.

[New-York Papers, E. F. G., G. 9.]

To his Excellency y^e Earl of Bellomont Capt. Gen^ll & Govern^r in Chief &^c

The humble memoriall of Robert Livingston of Albany.

Sheweth:—

That he hath observed that the trade of Albany which formerly was very considerable both in regard to the advancem^t of his Majesties revenue as well as for returns to the ships that came here to trade, is palpably gone to decay, not only in the tyme of the late warr with the French but since the peace hath been concluded; insomuch that the Inhabitants are much impoverished and discouraged to continue their trade; by which means that considerable frontier will be deserted, haveing no other dependance but meerly their trade, being seated on a barren sandy soyle, not fit for any improvement. The occasion of all which difficulties and defects of trade I humbly conceive to proceed from y^e French's instigation of the far Indians to be in a continuall war with our Five Nations of Indians and threatning them that if they should hunt on the other side of the Lake they would be destroyed by the French Indians. For remedy whereof and prevention of the like inconveniences for the future and for the advancement of

his Majesties revenue, as well as y^e^ incouragement of y^e^ Indian trade I do humbly propose that there may be a generall peace concluded between y^e^ Dowaganhaes, Twichtwicks, Ottowawaes, and other far Indians constantly in war with our Indians of y^e^ 5 Nations; which pease I humbly presume may be obtained by sending of 200 Christians inhabitants born in this country who understand y^e^ woods, joyned with 3 or 400 Indians of y^e^ 5 Nations who are to take such prisoners as they have of those far Nations, with them, & presents, and in their going to make a fort at a place called Wawijachtenok,[1] where a party of Christians are to be left, being a place plenty of provisions many wild beasts useing there; and so proceed to the respective far Nations who will undoubtedly receive them, notwithstanding the French are there among them, and have a p^r^tended sort of possession by a laying a Jesuite and some few men in a small fort; (for.where ever a Frenchman hath once set his foot he claims a right and title to the country.) And a peace once so concluded in their own country, some of them are to be brought to y^e^ country of the 5 Nations to confirm y^e^ same and then some of both Nations to be brought to Albany to ratifie the peace and bury their hatchetts; when it would not be amiss in my opinion if a p^r^sent were made them to welcome them and to keep the path open; which when they see the plenty and cheapness of goods at Albany, will be incouraged to bring all their trade thither, and by that means augment our trade to ten tymes as much as it is now, of all which the French deprive us by their frivolous p^r^tences of subdueing those farr Nations and converting them to the Christian faith by their preists, when in reality it is nothing but to secure a trade which our slothfulness and negligence hath given them the occasion of.

A true Copy

(signed) BELLOMONT.

Earl of Bellomont to the Lords of Trade.

[New-York Entries, B. 354.]

To the Right Honourable the Lords Commissioners for Trade and Plantations.

My Lords.

Knowing how much your Lordships set a value upon furnishing Naval Stores for the service of his Ma^ty^ and the nation of England from these his Majestie's colonies, I have been thoughtfull about that matter of late, and the more so because I do not find that design is carried on with that vigour in New Hampshire that I couid wish. I will suppose the purveyors that have the inspection into the provision of stores there, honest, because I know not the contrary, and yet admitting them to be so, I find plainly the charge will be so extravagant that I question whether it will not be a totall discouragement and obstruction to the prosecution of that design. Were it not for the trouble and opposition given me by these unruly people here that has hindred my remove hence to my other governments, I had given your Lordships long since a faithfull

[1] Now Detroit, see *post* 650. The Wawiaghtas were a Twightwick, or Miami tribe, and are found located, in 1751, on the Wabash, according to Chr. Gist's *Journal*, in Pownall's *Descr. of N. America*, App. VI, 12, where also they will be found on Mitchell's Map, in 1755, under the name of the Wauwaughtanees. See, also, *Loskiel's Indian Missions*, I., 3. — ED.

account of that and other affairs relating to those governments. But now having overcome these difficulties in a great measure and that by patience and moderation, I hope to be at liberty in a very short time to transport my self to Boston and very quickly after to New Hampshire.

I sent for Mons^{r} Bernon a French merchant and an honest sincere man, whom I was acquainted with in England, he being extreamly well recommended to me by my Lord Gallway and severall other French gentlemen and having lived some years at Boston and there in that country made a good quantity of pitch, tar, rozen, and turpentine, I have discoursed him fully about these things, and find the King can best be supplied from this Province with the severall forementioned species of stores, and that for the following reasons. There grows an infinite number of pines in Long Island alias Nassau Island, and on both sides of Hudsons river, and between Albany and Schenectady, and there will be a water carriage which will mightly conduce to their cheapnesse. Then I would have the soldiers imployed to worke at making them at full English pay, which is 8^{d} p^{r} day and an addition of 4^{d} p^{r} day which will be 12^{d} in the whole, to incourage them, and under which 'twill be impossible to keep 'em in tollerable cloaths and diet; and if they be not enabled to live more comfortably than at present, they will be always deserting as they do now. The worke is not laborious; all that they have to do is to tap the trees and then receive the liquor in vessells. Mons^{r} Bernon says a man that works with diligence will make five tun of stores in a year, one with another. I say one with another, because all summer he makes pitch rozen and turpentine, and in winter he can make tar only and none other of the forenamed species. 'Tis easy then to compute what the charge will be to the King, of those stores. The soldiers pay ordinary and extraordinary will be 7^{s} p^{r} week (which by the way I must observe would be to other labourers 18^{s} per week could be had which is not possible here in this country) then at the rate of five tun the produce of each man's labour in the year, the charge of making will come to (within a small fraction) £3. 12^{s}. 10^{d} Then I allow for casks to put it in at the rate of 2^{s} 6^{d} p^{r} barrell (which is the price here) £1. per tun; for carrying to the water side and shipping it down to Yorke and all other contingent charges, management also included £1, 5^{s} Lastly the freight of it to England 40 shill^{s} p^{r} tunn: all which articles amount to £7. 17. 10 p^{r} tun sterling money; I mean if you have the stores from hence. And from New Hampshire will cost just thrice as much which is £23. 13^{s}. 6^{d} day labour being there as 'tis here 3^{s} per day, unless the King would keep soldiers there to work as I have proposed his doing here, which will not be proper for two reasons.—First that there are not provisions to be had there for 'em; Secondly that they wonld be out of the center and consequently not properly placed for security to the Provinces against the French and their Indians. If Mons^{r} Bernon have informed me right that one man will make 5 tuns of those stores in a year (which I confesse is the thing I most doubt in all this scheme) then I am sure I can not err materially in the other articles: and if his and my computation be just then we shall be able to furnish the King with Navall Stores ¼ part cheaper then he has 'em now from the Northern Crowns. I was at a losse to find out the price current of the fore named several species, but bethought myself of a certain printed paper that comes out weekly in London called the Merchants Weekly Remembrancer, shewing the prices of all sorts of Commodities and have had the luck to find here a very late one, wherein the price of Stockholm pitch is set down at £16. p^{r} last (a last is a tun and half) Stockholm tar £12. 10. but whether the last or ton be meant is not said; black rozen unrefined £12. p^{r} tun, refined £14. p^{r} tun; yellow rozen unrefined £10. 10. ditto refined £14. 10. p^{r} tunn. Turpentine of New England unrefined £12. 10. ditto French unrefined £14. 10^{s} per

tun. I do not only project to furnish the King with these stores in a sufficient quantity, but also at as cheap a rate as possibly can be; for I declare freely to your Lordships I will not get a shilling by this myself, nor shall the King be deceived of a shilling by any body else, so long as I am intrusted with the superintendance and management of this undertaking. All that I propose as a charge for the management (and which is included in the above £7. 17^{s}. 10^{d} p^{r} tun) is £200 p^{r} ann̄ New Yorke mony to Mons^{r} Bernon, and 2^{s}. 6^{d} p^{r} day to each Lieutenant New Yorke mony, a Lieutenant to every hundred soldiers to keep 'em at their worke, which can never otherwise be done, for they will not be governed by other Overseers. Your Lordships will doubt perhaps the cheapness of frieght from hence to England, as I have proposed it, viz^{t} at 40 shill^{s} p^{r} tun, because the present rate for merchants goods is from 4 to 6£ p^{r} tun, but I oblige myself to make it good as I have proposed, if some owners and masters of ships I have talked with here know their own minds, and have told me truth. I have known two or three ships wait five months in this port for a freight and at last goe for England half and sometimes three quarters laden, and they rarely wait lesse than three months for their lading, which is the reason of the dearness of freight of goods; whereas if I be commanded by your Lordships to proceed with this undertaking, I will always have a sufficient stock of these stores in readinesse here at Yorke, that every ship that comes to freight with them shall have her lading in three or four days time, and shall not be made to wait and quicknesse of returns will incourage the owners and masters of ships, and will bring down the price of the freight to what I have said. And the whole management shall be carried on without trifling or tricks. When it happens at any time that we have not a full loading of the fore mentioned stores for the ships that come, we can make it up with principall knee timber for the King's ships, which I understand is pretty scarce in England, and sells for 6 or 7£ p^{r} tunn. If your Lordships approve of this scheme and designe, be pleased to inform me from the Custom house in London what quantity of pitch tar turpentine rozen and spirit of turpentine is imported yearly into England, and from the Commissioners of the Navy what quantity of those several species is used in the King's yards every year. I am not certain whether Mons^{r} Bernon call'd it spirit or oyle of turpentine, he guess'd the King's navy would consume a 1000 tun of all those sorts of stores every year, and that the nation of England would consume 6000 tun, but as he could not be certain of the quantity requisite, your Lordships will be best able to make a computation upon your inquiry of the Custome House and Navy Boards.

I understand there are as good pines for masts of ships on the land granted to M^{r} Dellius by Colonel Fletcher as any are in New Hampshire, and a great number of them, and they may be floated on the river all the way for Yorke with little or no charge; so that for any thing I know the King may be much cheaper furnished with masts for his ships of war from thence than from Pescataqua in New Hampshire. I do not mean the land of Mr Dellius complained of by the Mohack Indians, but the other grant which is six times as big as that (it containing 86 miles in length and 20 miles broad.) as some say, and as others 16 miles, but taking it at least of the admeasurements or dimensions it contains exactly 900160 acres of land and is full as big as Devonshire, which is now reckoned the third County of England, if the map of that county which is in Camdens Britannia be exact. Neither is there any reservation of quit Rent to the Crown, except one Raccoon's skin p^{r} annum, nor the liberty of cutting a tree or building a fort; yet 'tis certain there is the best and most commodious place for a fort that is in all this Province, viz^{t} on the side of the Long Lake called Corlaer's Lake or Iroquois, because that land is the most advanced towards Canada. Mr. Dellius has lately had 90 masts for ships floated

down from that land to a place within a few miles of Yorke on Hudson's river, and that by way of essay, and proposes to himself great profit by sending masts down the River and selling them in this town. But I hope before this Assembly is broke up I shall secure that and his other grant which the Mohack's complained of. I am told the timber that grows in that part of the country, the Pines especially, is firmer and more substantial than that which grows in New Hampshire, and the reason that's assigned for it is, the winter being much more cold in New Hampshire than in this Province; and 'tis observed the more to the southward of this continent, the better is the timber of all kinds.

I shall hereafter recommend that some sort of order may be settled, if your Lordships please, for the distribution of those remote lands among the officers and soldiers, each to have such a proportion of land, after so many years service, reserving in each lot a quit rent to the Crown, and making the lots unalienable to any besides the King; otherwise the soldiers will soon embezzle the lands assigned to them.

If this course had been taken twenty years ago the Frontier towards Canada had by this time been so well peopled, that they would be able to make a stand against the French and their Indians.

If your Lordships send me orders before winter I will provide to fall to worke in the beginning of next Spring and I believe I could provide stores enough for the King's navy if I had the four Companies recruited. But then how would England be furnished with those stores; for to me it seems reasonable that the nation should be accommodated also from hence, that that trade might not be precarious, as it must be, if our nation must be beholding to the Northern Crowns for it. Now if I offer your Lordships a plan or method for answering the two greatest ends that can be thought of, viz^{t} the defence of this and all the rest of the Colonies, and the furnishing his Majesty and the Nation of England with Naval Stores, I hope it will be worth your hearkning to and giving some speedy order for my carrying it on. I should then propose the immediate sending over and constant keeping a 1000 men in the King's pay in this Province, to manufacture the severall species of stores, as I have before proposed: and let it be considered that the pay of those soldiers will be no charge to the King, for if the prices of the severall species do not exceed the current prices now paid in England, which as I said before according to the estimate I have made of all particulars, will be a fourth part lesse, then if the King be the merchant, he will get by keeping a 1000 soldiers here in pay; or if it be so contrived that New Yorke shall be the market for the nation of England to resort to for those stores, they may be afforded cheaper or at least as cheap as they have them from the Northern Crowns, and that way the soldiers will be maintained and will be no charge to the King. I have made it already appear that the imploying soldiers in providing stores will save $\frac{2}{3}$ parts of the charge, which is a mighty abatement; besides there are not a 100 labouring men possibly to be had in this Province at 3 shill^{s} p^{r} day. Their labour here is performed mostly by negros, and the others have trades or keep sloops by which they earn much more than 3 shillings per day.

I will in the next place indeavour to prove the necessity of keeping a 1000 soldiers constantly in pay in this province for its defence. First from the example of the French, who to secure Canada which is but a small spot of country in comparison of all his Majestys Colonies on this Continent, keep 30 Companies constantly in pay, 50 men in each company, which is 1500 men. Then they are said to have as many Indians at command as we, and of the warlike Indians which they have debauched from us. The French too have some substantiall forts, and severall small ones. Between Montreall and Quebec which is 60 leagues, they are said to have 8 or 9

Forts, and tho' they be small, yet they favour extreamly the peopling that country; and I conceive that to be the chief end of the building those forts; for a desert Country, as all America is, being covered with thick high woods, is frightfull to people unlesse there be Forts to protect 'em. There ought to be in my opinion a good fort of stone at the extream end of the land granted to M^r^ Dellius, which your Lordships will judge of best by looking at the map I formerly sent by Lieutenant Hunt; and another such fort in the Onnondages country, which is the center of our 5 Nations. I am told there is a very convenient place for it upon the same River which runs through the Mohacks country and comes to Schenectade, and 'tis the more convenient because it lyes opposite to the French fort called Cadaracqui, which I formerly acquainted your Lordships was such a terrour to our Indians. A fort there would cover all our Indians and keep them firm to us. The remotenesse of it is the worst circumstance that attends it; but in answer to that the French have a Fort in the Dowaganhas country one of the Western Nations, that can not be less distant from Canada than 700 miles, built there by Mons^r^ de Tonti. 'Tis an easy matter to discern what the French have in view; when our Five Nations are destroyed, which they must necessarily be in a few years if we must have our hands tyed up and submitt to their sinister artifices, then will they engage those numerous Western Nations against us, with whom they are now making an interest by their Jesuits and other missionaries, and by training and emboldning them to fight. Formerly a hundred of our Indians would have made a thousand of 'em run, and now 'tis said the French have taught 'em to fear ours so little as that they will venture to fight 'em upon the square. The French are now at this time fortifying Quebec, an Engineer being lately sent thither from France, yet I hear that place was strong before. Without doubt the French King sets a great value on Canada, and takes such measures as will quickly extend his dominions in this part of the world, further than is consistent with the interest of England. I gave your Lordships just now some reasons for augmenting our forces here, but I shall give you one or two more that are as forcible as the rest, viz^t^ That this Province by its scituation (being much in the center of the other Colonies) challenges a preference to all the rest and ought to be looked upon as the capital Province or the Cittadel to all the others; for secure but this, and you secure all the English Colonies, not only against the French, but also against any insurrections or rebellions against the Crown of England, if any such should happen, which God forbid. A 1000 men regular troops here and a 4^th^ rate man of War at Boston and a 5^th^ rate here at New Yorke would secure all the English plantations on this continent firm in their allegiance to the Crown, as long as the world lasts. And I am of opinion whenever another war happens with France, the French might easily be driven out of Canada.

But to return to our subject of Naval stores. If this design goes on which I have proposed 'twill imploy dooble the number of ships that it now does from England to Norway because of the distance between England and New Yorke; for I suppose a ship may make two returns between England and Norway in the time she would make one between England and this place; and I conceive that so long as the comodities are as cheap or cheaper than now they are, 'twill be for the advantage of England that there be more ships imployed in that trade. There will lye one objection, which is this:—Mons^r^ Bernon computes that the King's navy and the nation of England will consume yearly 7000 tunn of the forementioned stores, and that a 1000 men can make but 5000 tunn; what then must be done to make the full complement or proportion of stores required? To which I answer, that the aged people in the country who are unfit for hard labour, will without doubt in a short time learn the way to earn their bread at this easy

work and, if I may believe Mons^{r} Bernon, the women and children of ten years old and upwards will be able to make good earnings at it. But rather than require more soldiers from England (for I confesse I grudge our parting with people out of England) I should advise the sending for negros to Guinea, which I understand are bought there and brought hither all charges whatever being borne for 10 £ a piece New Yorke mony, and I can cloath and feed 'em very comfortably for 9^{d} a piece p^{r} day sterling money, which is 3^{d} p^{r} day lesse than I require for the soldiers. If it were practicable for the King to be the merchant and that whole management of this undertaking were upon his account, which I confess I am not able to judge whether it be (as I said) practicable or would be pleasing to the Nation; but were it so, there would be a profit of at least £50 p^{r} Cent made of the goods sent over hither and to the other plantations for defraying the charge of making & providing the Stores. For I propose that English goods, especially woollen cloaths of several sorts shall maintain this undertaking. When I say 50£ per Cent profit will be made of the goods sent over, I am sure I say the least; for at that rate we shall under sell the present market at Boston at least £20 p^{r} Cent. and that of this town above £40 p^{r} Cent, for I have taken pains to inform myself about these matters.

I can think of no further charge that will attend the provision of stores here at New Yorke, except the building a good store house, which I compute may be done for about £1000. this mony. There will also be required a Clerk of the Stores, for whom I propose a salary of £100 p^{r} Ann̄ this mony, and the Clerk's Assistant whose salary I propose should be £80 per Ann̄ this mony. The first salary would be but £70 English and the other but £56. Then there would be about a dousin men constantly imployed in laying in the Stores in the store house and delivering them out, which work I could have performed by soldiers with a small addition of pay.

Two things are essentially necessary to the carrying on this great and usefull designe of furnishing Naval Stores for the King and the Nation of England, viz^{t} first the vacating all the extravagant grants of land which are eleven or twelve in number, and all, except two or three granted by Colonel Fletcher, and those eleven or twelve grants comprehend ¾ parts of this Province, whch was the most destructive course he could possibly have taken for the interest of the Crown and the peopling of the Province. Besides he has singled out worthlesse sort of people for his grantees and generally so disaffective to the person and government of his present Majesty, that I wish with all my heart I could except four of the twelve that are not so. What I have now said of these grantees is not a malicious suggestion, but a truth that I take upon me to prove. The second thing requisite for carrying on this design is, the giving the King a liberty by Act of Parliament in England or of Assembly here, of using pines or other sorts of trees for making all the fore mentioned stores on the Estates of all persons in this Province, without exception, and reserving to his Majesty alone the use of all such pine or other trees as are fit for masts of ships, and of all such oak and other timber whether streight or crooked, as will be proper to be used for the building his Majesty's ships of War.

I much question whether I shall be able to get an Act pass'd in this Assembly to break all the fore mentioned extravagant grants of lands. The parties concerned are jealous of my designe and are now indeavouring to prepossesse the members of Assembly with a thousand apprehensions about it; but as the Grantees are men that are generally much hated by the coutry I hope I may prevail to get a bill pass'd for the breaking part of the grants this Session, and will try to break the rest the next; and that in pursuance of the orders of the Lords Justices of England in their letter of the 10th of last November; and I will nicely observe all

the rules and conditions contained in that letter, with relation to the future disposition and grants of lands. By what I have offered for the King's having a liberty of making pitch tarr &c and cutting trees and timber on all peoples estates for the use of his Navy and of the nation of England, I do not mean that the present or future proprietors of lands should be restrained from cutting timber for their own use and even for sale; that would be a hardship that might passe for injustice, and would be a discouragement to the peopling of the Province, but I should advise that all trees above such a scantling as shall be hereafter agreed on, shall be reserved to the King under a severe penalty, whether they be trees fit for masts for a first second or third rate man of war, or such as will afford planks or knees for ships of those rates.

I submit this whole matter to your Lordships great wisdome, and heartily ask pardon for the trouble of so long a letter. I thought it best to lay before you my whole scheme all at once, as things occurred to my thoughts, that I might not trouble you another time on the same subject. I am with the same respect as ever, My Lords

Your Lordships most humble
and obedient Servant
BELLOMONT.

New Yorke
Aprill the 17th 1699

P. S. 4th of May 99. I send your Lordships a letter I have newly received from Mr Bridger one of the Purveyors of Naval Stores at Pescataqua, that you may observe this good design goes on heavily there.

Earl of Bellomont to the Lords of Trade.

[New-York Entries, B. 376.]

To the Right Honourable the Lords Commissioners for Trade and Plantations.

My Lords.

On the 19th of January I issued writs for the calling an Assembly to meet the 2ed of March, but Hudson's River not being open or free from ice, so as the members could come down from Albany and Ulster Counties, I adjourned the Assembly de die in diem till the 21st of March; when those members were come down the River. There was the greatest struggle at the Elections that ever was known in this Province, and in some places fighting & broken heads, Mr Nichols late of the Council and Jamison Clerk of the Council under Colonell Fletcher were the greatest incendiaries, especially Nicholls, who rode night and day about the country with indefatigable pains and all the flattering insinuations, endeavouring to possesse people that now was the time to get rid of a revenue and set themselves on an equall foot of liberty with the neighbour colonies, for paying customes he insinuated was a certain badge of slavery, and he had taught the country people that it was their interest to choose such representatives as would oppose a revenue, and they had learn't from him a byword (now or never) which was very common among them. In this town also he incouraged a club of the dissatisfied merchants of the number of 28 or 30, where among others one constant health was, to him that durst be honest in the worst of times. There came a ship hither from England in

December, and with her came a servant of Colonel Fletcher's, by whom he wrote to at least twenty of his friends here, and I am told he assur'd 'em all that his affairs were in a very prosperous condition at the Court of England, and that he made no manner of question to baffle all the accusations I have sent home against him. Upon the receipt of these letters which were dated in August and September, the angry people here were so exalted that their insolence grew intollerable, and because I had no letters by that ship nor had none in severall months before from your Lordships or the rest of the Ministers, they look'd on that as a sure presage of my disgrace at Court. I was told Colonel Fletcher animated his friends in those letters to that contumely he inspired into them at his going away, and in which they have continued ever since; and 'tis said he advis'd 'em by all means to traverse me in the elections of Assembly men, for that an Assembly that would refuse to continue the Revenue would be a sure means to ruine my interest at Court and get me quickly call'd home. In the beginning of winter I made new Sherriffs in the severall Counties, putting out Colonel Fletcher's stale Sherriffs of 5 or 6 years standing, & putting in men of the best figure in their Counties, and well affected to the King.

The Elections were very fairly carried by all the Sherriffs in the respective Counties, the Leisler party (as the contrary party call 'em) were 455 votes in this town against a 177. yet there was a cavill afterwards raised I am told, by Nicholls, for this reason, that the freemen or electors on both sides did by a tacit consent name one candidate only, expressing the rest by the word (Company) and this they, did it seems, to save time because there were four Candidates of a side, who it would have been tedious to name. As for example, the Leisler party voted for the Mayor of New Yorke and Company; the others (whom the Leislerites call the Jacobite party) voted for M^{r} Wenham and Company. This is all the objection I have heard the angry men have made to the fairnesse of the election for this town. Nichols and the rest of the faction as an artifice to draw all the English to vote for their friends, call'd themselves the English party, but what is observable and very rediculous besides is, that three of the four Candidates they set up were as meer Dutch as any are in this town. Alderman Wenham was the only Englishman of 'em, the other three were Johannes Van Kipp, Rip Van Dam, and Jacobus Van Courtland; the names speak Dutch, and the men scarce speak English. I discourage all I can these distinctions of Dutch and English which is set on foot by the factious people of this town, and I tell 'em those are only to be acknowledg'd Englishmen that live in obedience to the laws of England. The rest of the elections were all petitioned against to the Assembly, but the suggestions in the petitions so very frivolous that the disaffected party in the House joyn'd with the others in throwing the petitions out. That party are but five in the House and the hottest men of this Province next to Bayard that's gon for England, and Nicholls, and to support my censure of them I presume to trouble your Lordships with a passage in the House of Representatives t'other day. Upon reading a bill where were the words (late happy Revolution) Captain Whitehead moved that the word (happy) might be left out, for he said he did not conceive the Revolution to be happy. Captain Whitehead is one of the members that serves for Queen's County on Nassau Island; he keeps a publick house at a town called Jamaica, and is a disciple of Nicholls's. 'Tis at his house that Nichols had always a rendevouz with his pirates in Colonel Fletcher's time, and twice the last summer as I afterwards heard, and which was sworn to by John Williamson whose deposition I sent your Lordships with my packet of the 21st of last October. Nicholls has so poyson'd the people of Queen's County, who are all English, that $\frac{2}{3}$ parts of them are

said to be down right Jacobites, and to avoid taking the Oaths to the King, which I lately injoyn'd all the males in the Province to do from 16 years old & upwards, a great many men in that country pretend themselves Quakers to avoid taking the Oaths; but soon after at the election of Assembly men those very men pull'd off the mask of Quakerism and were got very drunk and swore and fought bloodily; Their patrone Mr Nicholls being a spectator all the while. In Suffolk County on Nassaw Island they are all English too, but of a quite different temper and principle from those I have been speaking of, the ballance is as I am told ten Williamites for one Jacobite. Our Assembly consists of one and twenty members, sixteen whereof are those the faction here call Leislerites, and those men voted unanimously for the Revenue, and will I am persuaded be always true to the King's honour and interest, to the utmost of their power. They voted the continuance of the Revenue the third day of the Session, and that for six years after the expiration of the present revenue and there is a year of that term unexpired. I am just now told that two of the Leisler party in the House of Representatives upon the commitment of the Revenue Bill voted counter to their friends and would have had the term of years to be three instead of six; and Nichols is supposed to have tamper'd with 'em, having been observ'd to be in their company.

I send your Lordships a paper which was very industriously dispersed in this town and all over the Province before the Elections of Assembly men, with design to influence the people in their choice and to obstruct the continuing a Revenue to the King. I have the first of them that was left in the Coffee house in this town, and 'tis writ by Colonel Bayard's son, as I can prove, and interlin'd and amended by Jamison late Clerk of the Council. 'Tis originally writ by Nichols and only copied by Bayard. 'Twas calculated to stir up sedition among the people, and there is an unmannerly reflection against the Privy Council of England about the Order of the King and Council to me grounded on your Lordship's representation to His Majesty on the subject of maintaining the priviledges of this Port against Perth Amboy in East Jersey. The pamphleteer does not name the King in his reflection, because he durst not, but that he design'd it a reflection against the King by innuendo I think is plain, and that he has malice enough and disaffection to do that and worse against the King I shall now prove by certain evidences that have occurred to me. The Pamphlet goes (N° 1.) the depositions of Mr Edsall an English gentleman that lives in Queen's County, and Mr Gouverneur a member of this Assembly (N° 2) also Mr Parmiter the Naval Officer's deposition against Mr Nichols (N° 3) and Mr Lawrence's deposition against him (N° 4) and a paper containing several articles against him which were intended to hinder his being sent Agent for this Province by Colonell Fletcher and the Assembly to England in the year 1695, but had not that effect; the said articles go (N° 5) I must observe that Mr Parmiter told me a few days after Mr Nichols had spoke to him what is contained in the above mentioned deposition, and it was the same in substance that he has since deposed. Mr Nichols and Mr Brooks were sent joynt Agents by Colonel Fletcher in the year 1695. and were taken by a French ship at sea, and carryed into France, where they were kept prisoners for some time at or near Brest, and some other person who was then a prisoner with them, upon their enlargement and arrivall in London, made oath either before the Privy Councill or one of the Secretarys of State, that Nichols and Brooks utter'd very scurrilous and opprobious language against his Majesty, and declared themselves much in favour of the late King James, and I think drank a health to the latter, and confusion to the former. I remember to have heard this at the time the person depos'd it, and it made a noise at Whitehall, but the particulars I do not remember exactly, it being so long ago.

8th *of May* 99. I send your Lordships the Addresse of the House of Representatives of this Province to his Majesty, to congratulate his safe return to England from Holland: it goes (N° 6.).

12th *of May* 99. In obedience to the commands of the Lords Justices of England contained in their Excellencys letter of the 10th of last November; I did with the advice and consent of the Council direct the Attorney General to prepare and bring in a bill for vacating the Extravagant grants of lands by Colonel Fletcher to Mr Dellius the Minister at Albany, to Colonel Bayard, to Captain Evans, to Collonell Caleb Heathcot, and to the Church. The two last were the Governor's demesne, one by the name of the King's garden, and that to the Church the King's Farm, and tho' these two be the smallest grants, I always thought it a greater impudence in Fletcher to give away the conveniences from the King's Governors, than in granting away a large tract or two of land. The Council were equally divided, three against three, so that I was obliged to give a casting vote for the Bill. Those three that were against it have the largest grants in the Province next to Mr. Dellius's. We sent the bill down to the House of Representatives where it met with a chearful concurrence they adding a clause to deprive Mr Dellius of his benefice at Albany; to which clause the Council and I agreed. The minute of Council directing Mr Attorney to draw this Bill goes (N° 7) by which your Lordships will see I have got it made to tye up my own and all succeeding Governors hands from granting away or so much as leasing the demesne of the Governor for more than his own time in the Government.

I did not think fit to put the regulations ordered in the Lords Justices letter to me in the granting of lands into this Bill, for two reasons; first because this being to breake but a small part of the Extravagant Grants and intended only as an essay to find out how it will relish with the people, I thought it would be best to defer the making those regulations part of a bill, till I should try another Session, to vacate all the other extravagant grants which are about 8 or 9 in number. In the next place I was apprehensive those regulations (one whereof is that every hundred Acres of land shall pay a Quit rent of 2s 6d pr Ann: to the Crown) might allarm the members of the Assembly and prejudice them against such a charge on their lands. The getting this Bill pass'd has drawn upon me the implacable hatred of all parties concern'd and the rest of Fletcher's Palatines, those I mean that have unmeasureable grants, fancie I shall push at them the next time, so that they are equally angry with the others. And as for the King's Farm granted to the Church the whole faction I understand are resolv'd to bring on my head the anathemas of the Bishop of London and the Clergy, if they can by any means provoke 'em to resent it's being evacuated with the rest, notwithstanding I have given the English Minister much more than an equivalent for what the Act of Assembly has taken away; for by the King's farm he had but £7. pr Annũ: rent, and I, with the consent of the Council have allowed him £26 pr Ann: to pay his house rent; in which we are warranted by the King's instructions to me.

In obedience to your Lordships commands sent with me from England, I have had the Bill against Privateers and Pirates pass'd, of which you sent the draught with me, but that for settling the Post Office the Council and I thought fit to respite till the next Session, at the earnest request of Coll. Hamilton Deputy Postmaster, who pretends the Bill as at present drawn will totally discourage the keeping up that office. The passing an Act to set the value of men's estates to serve as Jurors which your Lordships also ordered me, is complyed with. A Bill for facillitating the conversion of Indians and Negros (which the Kings instructions require should be endeavoured to be pass'd) would not go downe with the Assembly; they having a notion that the Negros being converted to Christianity would emancipate them from

their slavery, and loose them from their service, for they have no other servants in this country but Negros. A Bill to enforce the building of publick workhouses (which is another instruction from his Majesty) to imploy the poor and also vagabonds I offered to the Assembly, but they smiled at it, because indeed there is no such thing as a beggar in this town or country: and I believe there is not a richer populace any where in the King's dominions than is in this Town.

Remonstrance of the Representatives about Leisler's friends, and about the want of able Lawyers &c.

16th *of May* 99. Yesterday in the evening the House of Representatives brought me a Remonstrance, which they desired I would humbly lay before the King; I could not refuse the receiving it and promising them to send it to your Lordships, that if you thought fit it might be presented to the King in their names; for I take it to be the right of the subjects to petition the King. But I should first have told your Lordships that I was forc'd to use an artifice to save Mr Graham, the late Speaker, from being expelled the House. I was informed by Dr Staats, one of the Council, yesterday morning that the Representatives had prepared a Remonstrance, and were resolved to compell Mr Graham their Speaker, who has the ill luck to be hated by all parties in the House to deliver it to me attended by the whole House, and in case of his refusal to throw him out. Afterwards Mr Graham came to me with concern, and told me the Remonstrance was produced and read in the House, but that he would be torn to pieces sooner than bring up and read such a paper at the head of the House, which he said arraingned all the proceedings against Leisler and Milburn, and by so doing he said in terminis it would be cutting his own throat. Upon which having been ordered by the Lords Justices' letter of the 10th of Last November to swear Mr Graham among other persons therein named of his Majesty's Council, I sent for the House of Representatives and acquainted them with the King's commands, and swore Mr Graham of the Council, and directed them to go and choose another Speaker, which they did, and choose Mr Gouverneur, who I believe penn'd the Remonstrance; where your Lordships will meet with some expressions and words that are not very proper English: it goes (N° 8.).

The Council and I during this session revers'd a judgment given by Colonel Fletcher and the Council in his time against Mrs Wandale a widow in favour of one Alsop. I will shortly send your Lordships a copy of Mr Wandale the husband's will and state of her case, that you may be Judges how crying a piece of injustice it was in Colonel Fletcher to strip the Widow of her estate. Common fame says that Nichols had a good part of the estate for prevailing with Fletcher to give that unjust judgement, and that Fletcher had £60. for his share. This sort of proceeding is a mystery of iniquity and hard to find out and discover the truth of. Alsop is a silly sort of man, and perhaps might betray his bargain with Nichols. But this is certain that when Colonel Fletcher pronounced the judgement, he was observed to fall into an agony and trembling, and grew very pale, so that every body present tooke notice of his strange disorder. This I have from good hands.

I have this morning prorogu'd the Assembly to the 20th of next September, and this afternoon I am to embark for Boston in New England, on board a little galley which the Lieutenant Governor Mr Stoughton and the Council have sent to transport me thither. The short discourse I made to the Assembly at my parting with them, goes (N° 9.) I conclude with great sincerity and respect, My Lords

Your Lordships most obedient Servant

BELLOMONT.

New Yorke
Aprill the 27th 1699.

Earl of Bellomont to the Lords of Trade.

[New-York Entries, B. 390.]

To the Right Honourable the Lords Commissioners for Trade and Plantations.

My Lords

Your Lordships I presume will have a full account from Boston of a parcell of pirates lately taken there with their ringleader Joseph Bradish born at Cambridge near Boston. The Commander Bradish ran away with the Ship called the Adventure of London an interloper to the East Indies, leaving the true Commander Captain Gulleck on some island in the East Indies, together with some officers and men that belonged to the ship. They came to the east end of Nassau Island and sunk the ship between that and Block Island. The ship of about 400 ton. I had no notice till a week after the ship was sunk, or if I had had notice I could have done nothing towards the seizing or securing the ship or men with out a man of Warr, which the Lords of the Admiralty seem to thinke these provinces unworthy of. I send your Lordships three or four depositions concerning the Pirate ship, the most materiall of those I have taken. The deposition of Symon Bonane a Jew goes (N° 1) that of Captain Mulford (N° 2) that of Cornelius Schelinger (N° 3) that of Lieutenant Colonel Peirson (N° 4.) This last the principall deposition, because with him Bradish had left £942 19 3 in mony; The particulars whereof goe (N° 5.) The bag of Jewells mentioned in Peirsons deposition were opened before myself and the Councill, where I had ordered a Jew in this town to be present, he understanding Jewells well. At first sight we thought there had been £10000 worth, but we soon found they were counterfeit, an inventory whereof goes (N° 6) My proclamation for the apprehending Bradish and crew goes (N° 7) I seized three men in this town, who I had notice were come from Block Island, and had concealed some of those pirates mony, and I secured them here till I gave the Governor of Rhode Island notice where the mony was concealed, which I heare he has since secured; Block Island being in his government. That mony I understand is near £1000. ten or eleven of the pirates are seized at New London by Colonel Winthrop, Governor of Connecticut and £1800 in mony, as he writes me word. At Boston they have taken 15 or 16 of the pirates, I hear, and 5 or 6000£. The Governor of Rhode Island is said to have discovered and seized another parcell of the mony besides what I gave him notice of, so that 'tis supposed there may be in the whole near £10000 secured for the owners in England, who I hear are Sir Joseph Hearne M^r^ Sheppard and M^r^ Heathcote. What I have received from Peirson is lodged with Colonel Courtland the Collector, and shall be forthcoming to the owners upon your Lordship's order, or such other authority as I can be secure in. Lieutenant Colonel Pierson came frankly and voluntarily to me and own'd Bradish had been at his house and left some baggs of mony with him & a bagg of jewells. He has a fair character in the country and is a man of substance and a member of the present Assembly. I frightned him by telling him he would stand in need of the King's mercy, for that by the statute of the 28^th^ of Henry 8^th^ he was equally guilty with Bradish; which is a truth. I hope your Lordships will obtain the King's leave for me to pardon him which is what I will not venture to do to him or any body else without your leave, notwithstanding you are pleased to write to me in your letter of the 25^th^ of last October that I have a power by my commission to pardon pirates, and I assure your Lordships I do not intercede for him upon the score of a reward, for I neither have taken nor will ever take any reward of him. I must observe to

your Lordships that five or six of the men that ran away with this ship under Bradish are, as I heare, some of Colonel Fletchers pirates that went out with Tew and other pirates commissioned by Fletcher. Two or three of 'em have wives in this town and were actually, as I have been informed, in town. I laid out for 'em, but they are too well befriended in this towne to be given up to justice; and I am apt to believe they are still here.

I send the deposition of Daniel Scrogham (N° 8.) about a pirate ship at Saltertudos that robb'd severall ships there, and the memorial of John Clotworthy master of a sloop that came hither from Jamaica (N° 9) Hyne the pirate he informs of is a bloody villain, has murthered severall men and will give no quarter they say to Spaniards that he takes. He belongs to this town his wife and family now here; he was master's mate of the ship Fortune which I seized at my first coming here which had been also commissioned by Colonel Fletcher. About three weeks since there came a ship within Sandy Hook, the mouth of this port and lay at anchor three days. The custom house officers sayl'd by her in a sloop and hayl'd her, asking whither she was bound; she answered to the Port of New Yorke, but she n'ere came hither, so that she is supposed to have been a pirate; she was of about a 150 ton. We may be insulted here and the trade destroyed, if we cannot be allowed a ship of war. 'Tis reported here that severall ships belonging to this and the other Colonies to the number of four and twenty are taken by the Spaniards in the Bay Campechi, whither they went to take in Logwood. 'Tis also said the Spaniards are provok'd to it by the Scotch late settlemen on Golden Island near Darien.

I formerly gave your Lordships to understand the badness of the Forts of Albany and Schenectade. The gunner at Albany has sent me word the platforms are so rotten that he dares not fire a gun, and indeed those Forts are so scandalous that I cannot give your Lordships a low enough idea of them. They look more like pounds to impound cattle, than Forts. In my letter to your Lordships by Lieutenant Hunt I made bold to advise that the mony Colonel Fletcher should be found indebted to the King (which I was then and am still of opinion would upon a fair account prove to be 10 or 1200£ Stêrl) might be applied to the building of good stone Forts at Albany and Schenectade and repairing this Fort at New Yorke, which will cost at least £1000 more. 'Tis wonderfull to me how Colonel Fletcher could pretend to apply the greatest part of the 30£ p^{r} Cent, to the repairs of this Fort and the Governor's house, when I found every thing out of repair when I superseeded him. The palisadoes of this Fort are quite decayed and a third part of them destroyed and wanting; one of the bastions crack'd through, which will fall if not speedily rebuilt; the parapet gone to decay and must be renewed; the palisados 'tis computed will cost 600£. at least to be well done, and the bastion 200£. and the parapet 200£. The roof of the house too is out of repaire, so that it rains in, and the lowest floor is decayed and rotten, so that I believe the repair of the House will cost near 200£. more. I must not omitt to observe to your Lordships that the old part of the house is a comfortable convenient dwelling enough, and might have contented a Governour of much better quality than Coll. Fletcher; and the new building will cost first and last about £5000. New Yorke mony; so that 'tis plain here is so much mony consecrated to his vanity. Where all this money will be got to build and repaire Forts, I cannot tell, unless Fletcher be made to refund to the King. The Assembly here I am almost certain will not be brought to raise it, for I cannot prevail with 'em by any means to consent to such an additionall duty as will pay the debts of the government, which amount to upwards of £5000.

I intend pursuant to the orders I have received from the Lords Justices of England, bearing date the 10th of November 98. to indeavour to breake the two excessive grants of land to Mr Dellius, by Act of Assembly, and also Mr Bayards of 40 miles long, which comprehends part of the Mohack's land, and whereof they also complained to me at Albany; and also to breake Captain Evans's and the lease of the King's Farm to the Church and the King's Garden to Colonel Heathcote; all granted by Collonel Fletcher most impudently and corruptly. These I believe I shall prevaile to get a Bill to passe for the breaking of. And I will have a clause or clauses to stand in the Bill to disable me and all succeeding Governours from alienating or lessening the demesne of the King's Governour for the time being. When this is done and the before mentioned grants are vacated there will remain these following Extravagant Grants, vizt Colonel Smith's which Mr Graham the Atturny Genll assures me is 50 miles long and the whole breadth of Nassaw Island, most of it granted by Colonel Fletcher. Then there are besides Mr Fred: Phillips's and his son Adolphus Phillips's. Two great tracts of land to Coll. Courtland one whereof is 20 miles square as I am told, and the other not much lesse: Colonel Beckman's grant; Colonel Peter Schuyler's; Mr Livingstons and Mr Ranslaer's: all which grants comprize I verily believe full $\frac{3}{4}$ths parts of this Province, and are one with another (the two leases aforesaid excepted) 20 miles square by the nearest computation I can make; so that I appeale to Your Lordships what care has been taken by Coll. Fletcher of the interests of the Crown and this Province. Neither do I find there is 5£ pr annñ. Quit Rent reserved to the Crown upon all these vast grants, put altogether, which is an insufferable fraud in Coll: Fletcher. I observe in that clause of my commission which impowers my granting of lands and directs the reservation of a Quit Rent, the words are "for what yearly Quit Rent you shall think fit." Now the words *You shall think fit*, are very entensive words, and if I be a knave I will fob the Crown off with a Racoon skin pr Annñ: out of nine hundred thousand acres of land and will *thinke fit* to compound with the grantee for a good fine to myself. These last mentioned Grants I have neither time nor strength to breake at this time; but if your Lordships will send over a good Judge or two and a smart active Atturny Generall, I will God willing, be back hither from Boston the latter end of this summer and will then have a Session of Assembly and will breake all these Extravagant Grants, and will settle such a scheme by Act of Assembly, as shall tye up my own hands and those of all succeeding Governors; and all that whole matter shall be made under such limitations and reservations as the Lords Justices in their said letter have ordered me. I beseech your Lordships to consider that by obeying your orders in vacating these Grants (for I esteem them your orders as well as the Lords Justices, since they were grounded on your Lordships Representation) and all your other orders which tend to a reform of all abuses in this Province, I draw on myself the most virulent odium of all parties concerned which will multiply the clamours and complaints of theirs and the merchants Agents in London. Therefore I must beg your protection in the execution of your own orders that I may be justifyed and supported by your Lordships against the noise and importunity of ill men or their Agents. I acquainted your Lordships formerly that the factious merchants and others in this town had agreed in their Cabal that they would use a stratagem to get me recalled, which was this:— they would write home by all opportunities to their Agents in England to teize the Ministers with complaints, that importunity might serve instead of reason and argument. I was yesterday again informed the angry people here have sent a petition to their Agent in England against me for disturbing their trade, and several trivial articles not worth the naming to your Lordships; and that 'tis an agreed resolv'd thing among 'em to multiply complaints against me by all

conveyances to England, till by pure importunity they get me recall'd: my author who read their petition and was present at their Cabal told me they said they would tyre out the King and the Ministers to gain their point against me.

I made no alteration in the Commission of the Peace or the Militia of the Province till the middle of this last winter, that I might try by all means to make those men whom Colonel Fletcher left in power and office, tractable to the government. But I found the more indulgent I was to those men, the more insolent they and their party grew, and they began to interpret my moderation to be fear. Yet did I not make a totall remove of them, but blended the parties, giving the ballance a little to the Leisler's side as in justice and prudence I thought I was obliged to doe for the King's service; the angry party declaring openly against continuing the revenue to the King, but the Leislerites warmly for it; who have been as good as their words.

The country were very uneasy under the authority of Fletcher's Officers, and I was mightily importun'd to change the officers. As an instance of the people's aversion to their late officers, on the 4th of last November I had the Citty regiment drawn out among other respects to the King's birth day; the regiment consisted that day but of 200 men besides officers, and on the 13th of last February the anniversary of the King's being proclaimed King, I had the regiment drawn out under the new Officers and they were then 500 men. I also have had 'em out on the 11th of Aprill the day of his Majesty's Coronation. The Officers I treat at my own charge, but the Soldiers at the King's. I do not find Colonel Fletcher left me a president for this, but I thinke it a usefull peice of ceremony because it helps to affect the people to the King, and puts 'em in mind of their duty to him; for before they had no idea of any thing greater on earth than Colonel Fletcher, and he seemed to be of that mind himself. I am with respect, My Lords

Your Lordships most faithfull

New Yorke humble servant

May the 3rd 1699. BELLOMONT.

Earl of Bellomont to the Lords of Trade.

[New-York Entries, B. 402.]

To the Right Honourable the Lords Commissioners for Trade and Plantations.

My Lords.

Wee are like to have noe Courts of Justice in the Province, notwithstanding the King's letters patents doe give me full power and authority (with the advice and consent of the Council) to constitute and direct Courts of Judicature; yet Colonel Smith who is chiefe Judge and Mr Graham Attorney Generall have declared their opinions that the King cannot by law establish Courts of Justice of his own Authority. Therefore they (especially Mr Graham) incouraged, as in Fletcher's time, the passing an Act of Assembly to erect Courts of Justice, but the House of Representatives so spoiled the bill that was intended for that purpose by making severall incoherences and some part of it repugnant to the laws of England, that I

could not give assent to it. I am jealous there was a trick in it designed to do me hurt with the people; the author fancying that upon a failure of justice in the country, the odium of the people would naturally fall upon me. I told Colonel Smith and Mr Graham that I could not conceive the King's Attorney Generall in England who drew the Letters Pattents, would let the King convey such power to a Governor as could not be justified in law. Besides I told them that patents were always read and considered at the Council Board where they stood the test of being observed by my Lord Chancellor and Lord Chief Justice of England, who would be sure to inform the King what law warranted him to do, and what not. You see by this what trouble I undergoe for want of a good Judge or two to sit in Councill, and a good Attorney Generall to advise me in behalf of the King; therefore I entreat your Lordships once more that I may have such honest able men sent over, so as to be here against the 20th of September, if it be possible, to be present at the Session of the Assembly (for till that day I intende to prorogue them) otherwise I must be forced to put of their meeting 'till next Spring and all business must be at a stand. There is not a day that I do not find the want of an honest able lawyer, and this one instance among others I must observe to your Lordships. Colonel Dupeyster understanding the ship Fortune after condemnation was set up to be sold by inch of Candle, advised with Mr Attorny Generall whether he might safely adventure to buy her, she being a forreigne bottom. The Attorny assured him he might. Upon which he went and out bid the other bidders, and gave £315. for her, and has since laid out about £200 in repairing her, and at last has discovered he can not load and send her on a voyage. Coll. Dupeyster upon this petitions me and the Council to be relieved, and the Councill were of opinion that the King being the seller, and the King's Attorney advising Coll. Dupeyster that he would be safe in the purchase, the King's honour was concern'd that the purchaser should be indemnified and the King stand to the losse. Mr Attorney also declared this to me as his opinion, and I have for the present consented till I receive your Lordships orders in the matter. It seems to me that the Atturney ought of right to make good the damages for having given such rash advice, and that the King ought not to be the sufferer. The Attorney is an understanding man, but being bred to a trade and neither to learning nor the law, it can not be supposed he should be well quallified for the post he is in; and wee lose many seizures of ships and unlawfull goods by the lameness of the informations he draws up.

I find the want of good officers of Justice, such as Judges and King's Councill, in the improvement of the Revenue, and to convince your Lordships of the truth of it, I must acquaint you that there are in Nassaw Island four harbours (besides a great many creeks) where the merchants run in great quantitys of goods computed to be a third part as much as are fairly imported at New Yorke. The four harbours or towns are Southold, Sitaket, Oyster Bay and Musketo Cove; Oyster Bay lyes most convenient for a private trade with the merchants of this towne. To prevent which I constituted one John Townsend a Custome house officer; giving him my Commission with a salary of £30 pr Annū: and a third part of all such seizures as he should make, as the law allows informers. He undertook it cheerfully; but within a month he and his securitys (for I tooke bonds in £500 for his faithfull discharge thereof) came and begged he might resigne his commission, telling me that tho' most of that towne were his near relations and severall of them of his name, yet he was threatned by them to be knocked on the head, and he had already suffered many abuses, insomuch as he was in fear of his life. The Councill sitting that day I had him call'd before us, and there he declared what he had done before, and desired to be discharged from that Office. We urged him to

discover who the persons were that threatned him, but he desired to be excused for that it would be as hazzardous to discover them as to remain in the execution of that employment. The Minute of Councill about that matter goes (N° 1.) and that has discouraged me from appointing such officers in the other towns. The people in that Island are generally a lawlesse and unruly people; and to mend the matter there are severall pirates settled among 'em, who to be sure will eg 'em on to do mischief There is no cure for this but an upright administration of Justice, and the recruiting and better paying the King's forces that are here, to the end they may be made use of (if need be) to support the Civill Authority. I am not satisfied with the present management of the Custome house here, the Collectors acting with a sort of indifference like men that expect every day to be superseded. A Collector here ought to be not only nicely honest, but also very active and intelligent, and without such a Collector and such officers of Justice as I have before desired and described 'twill be an impossible thing for me to improve the revenue to what it ought to be with good management. I can not doubt of your Lordships ready complyance in sending over such persons as I have mentioned; the charge of whose salaries will be trebled in the increase and advancement they will cause and bring to the Revenue and no vallue can be sett upon the other advantages that will accrew to the King's service and that of the publick, by imploying such men in the administration of justice in this Province. I believe I have not lesse resolution and fortitude than other men in the discharge of my duty; but I confesse I am allmost tired out with the principles and behaviour of the men that are in imployments of trust here. I find they set against me in every thing either openly or privately, so that it is all up hill with me; and I shall never get credit soe long as I am yok'd with such people in the government. They were all or most of them professed Jacobites at the time of the Revolution; and tho' they pretend themselves of another principle now, I see noe signes of their conversion, but find them false to me in every thing, and they are sure to hold together, so that 'tis next to impossible to bring a man of that party (be his offence what it will) to justice and punishment.

M^r^ Graham is of opinion the Excise of Nassaw Island if duely collected would amount to £12000 p^r^ Ann̄: which is twelve times as much as I doubt it will be lett for this year, wherein I have some reason to apprehend myself ill used; it being a resolved thing to keep down the Revenue as low as may be, for my discredit. The Excise of this Province would without doubt amount to £3000 a year if we could have it duely collected, but I do not find we shall make above £1200 this year. I offered one of the Lieutenants of the Companies £100 a year New York money and buy him a couple of horses for him and a man to attend him, and I intended him to be riding Surveyor of Nassaw Island, not only to lett and collect the Excise of the whole Island, but also to inspect and watch the harbours and creeks that no goods or merchandizes should be run in, with a promise of a third of all such goods as he should seize; but he, tho' accounted a brisk man and ready to starve for want of his pay and subsistance told me in plain terms he thought it too hazzardous an undertaking for him, and refused to meddle. Let this remind your Lordships of the want of Justice in this Province

Your Lordships have sent me no orders about the towns of Rye and Bedford, which revolted from this Province (to avoid paying taxes) to the government of Connecticut; to which towns the said Government has noe colour of right.

I desire your Lordships will please to countenance the procuring his Majesty's letter for the swearing Ducy Hungerford Esq. a member of his Majesty's Councill in this Province, and for

confirming Robert Walters Esq^{r} allready put in and sworn by me. They are both very honest gentlemen and well affected to the government.

Captain Evans, Commander of the Richmond Frigat who attended the government in Collonel Fletcher's time, has wrote two letters, to my Lieutenant Governor and the Attorny Generall which for the extraordinarynesse of their stile and the barbarous abuses of me, I make bold to trouble your Lordships with copies of them. That to my Lieutenant Governor goes (N° 2) that to M^{r} Attorney (N° 3.) you will find he declares I should be murdered if I could be come at, and in letter to M^{r} Atturney he gives a hint as if the present government of England were in a low condition and destitute of friends. I would complaine to the Admiralty Board of the insolence of that fellow if I thought they would do me right. 'Tis wonderfull to see how insolent men of mean beginnings can be. This man's father was a shoemaker in Ireland, and turning grazier has got into a good estate. I am with respect, My Lords

Your Lordships most humble
and faithfull servant
BELLOMONT.

New Yorke
May 13th 1699

Earl of Bellomont to the Lords of Trade.

[New-York Entries, B. 411.]

To the Right Honourable the Lords Commissioners for Trade and Plantations.

My Lords.

I intend in this letter to answer all the orders your Lordships have sent me in your severall letters of the 25th of last October, the 5th of January and 2^{d} of February, and that as briefly as the severall matters will allow; because I consider the multiplicity of business that passes under your Lordships management and direction; and having not had an opportunity of writing to you all this last winter and spring, and being therefore in arrear to your Lordships with the accounts of my businesse, I am under the necessity of troubling you with several letters by this conveyance.

To begin then with your Lordships letter of the 25th of last October, which came but lately to my hands, I am in noe capacity to obey your Order of prosecuting Baldridge and severall others suspected of piracy, for want of a good Judge or two, and an honest active Attorney Generall, as I formerly desired of your Lordships, without which I can not serve the King and the Publick as I would doe, and in plaine termes I must tell your Lordships that I can have nobody prosecuted here that hath ten peices of eight, which troubles me above all things; for I can bear with the insolence & stubbornnesse of some people here and dispise it, because I know they are in the wrong and that I do my duty; but for me to labour day and night in business and be left to stand alone without the assistance of one man, it is what I am not possibly able to undergoe nor willing; because I shall never get credit by my labour and service. All that I have been able to doe is to get Baldridges' Narrative on Oath which goes (N° 1) and at the latter end of it you will find an account of the Pirates killed in the Island of S^{t} Maries near Madagascar which thing your Lordships in your said letter have directed me to informe

you particularly of. I send Colonel Dupeyster's memoriall (N° 2) about the Ketch mentioned in your said letter to have belonged to him, whereof one Smart was master; the information given on oath by Humphrey Parkins, as to the Frederick Sloop which went with East India goods to Hamburgh and belonged to M^r^ Phillips, M^r^ Secretary Vernon as well as your Lordships has observed it to me, in a letter I lately received from him, and directed me to see Phillips' bond. But upon inquiry I find Brooks who was then Collector, tooke noe bond of him, so that there is noe handle for prosecuting Phillips.

In answer to your Lordships letter of the 5^th^ of January last, I send the Copyes of my letters of the 27^th^ of October and the 14^th^ of November 98. to the Lords of the Treasury, wherein I mentioned Brooks but transiently, referring their Lordships for a particular account of the Revenue of this Province and of the publick accounts, to my two letters to your Lordships on those subjects, copyes whereof I sent them. And now that I mention Brooks, I must acquaint your Lordships that I can not recover the five years excise out of his Receivors hands for the County of Ulster. I had a Capias sent for him, but he kept out of the way. There was a complaint made against him in the House of Representatives this session for defrauding the King of his Revenue, and the Speaker's warrant was sent for him, but he avoided that too: his name is Demyre, he is brother in law to Bayard, and has the same good name in the Country that Bayard has.

Colonel Romar the Enginier was gon to Boston to get a passage from thence to England; but upon your orders I have stopt him, and since I am suddenly to goe thither, I have wrote to him to view the fort on the Island which commands the harbour at Boston and from thence to goe to Piscataqua in New Hampshire and thence to Pemaquid and take the plans of all the three forts and make such observations as will be proper, of their situations, importance, and what the charge may be of building good substantiall forts, and this to the end I may be able to informe your Lordships fully of those matters hereafter.

I forgot to add to the paragraph before this last that by Brooks's neglect of his duty we have quite lost the arrear of Quit Rents in this Province, computed to be at least £1500 nor has he left a rentall of them to guide us in the collection thereof. Colonel Courtlandt the present Collector sent to all the Sheriffs of the respective Counties to collect the said arrears and offered two shillings in the pound as a reward, but they all refused; fearing, as it is supposed, to undertake an office that might cost them their lives among a lawlesse unruly people. One Captain Clark of New Yorke came to me in winter and offered to collect those Quit Rents for two shillings in the pound, and knowing him to be an ill sort of man and one of the faction I fancied there was something of designe in his offer. However I seemed to receive it kindly and I promised him my commission for it. I then suspected and have since discovered the reall cause of his offering to undertake that imployment. It was concerted at a club of those people that nothing would sower the people against me and make them averse to the choice of such men for Representatives as would continue the revenue, so much as my sending to make a demand of a long arrear of Quit Rents, which they dream't not of ever paying and of ransacking the deeds and titles to their estates to discover the said arrear which they knew would be a thing very irksome and displeasing. The faction knew that in Spring I must remove to Boston and that there was a necessity of my calling an Assembly to settle the government and revenue before my leaving this Province; therefore did they contrive to lay this snare for me. But I told Clarke the season of the year would not then allow of his riding about the country, and that in Spring he should have my commission. But to lett your Lordships see

there was a trick in this, the man never came near me since, and how to retrieve the arrears of Quit Rents and settle them for the time to come, I am as yet at a losse, not knowing what course to take in that, any more then in all other things relating to the King's service, till I have the assistance from England allready proposed viz^{t} of Judges and an Attorny Gener^{ll} whose integrety and skill in their profession I can safely rely on. My Lord Chancellor will, I presume, quickly recommend persons that are fitly qualified for those imployments. The Assembly in their Remonstrance complaine of the want of able officers and ministers of Justice, and will I doubt not contribute to their maintenance. I beg there may such be sent over before the next Session of this Assembly, otherwise I shall be quite at a losse and must prorogue the Assembly till next Spring.

'Tis not possible for me to make a further scrutiny into the Revenue and Accounts in Colonell Fletcher's time, now; because I must of necessity goe towards Boston tomorrow to overtake the Anniversary day of that Assemblyes meeting, which is the last Wednesday in May; And where, your Lordships will beleive, my presence necessary at such a time: and there is not a man here whose care skill and integrety I can rely on for such a service when I am absent. I am sorry to say it, but 'tis an undoubted truth, the English here are soe profligate that I can not find a man fitt to be trusted, that's capable of businesse. The Clerk of the Councill that I was forced to put into Jamison's place is a very sottish fellow, and I fear allmost as ill a man as his predecessor, but being bred a Clerk in Chancery in England, he writes indifferently well and is quick in businesse; but I doubt fled from England not for being honest. I was obliged to employ one Ludlow a merchant to be Clerk of the Assembly this Session, one that was lately convict of cliping and coining in this towne. I think proper to acquaint your Lordships of this circumstance, that you may see how impossible a thing it is to make a right choyce of men in this place, and what a sort of men I have to doe with. Those that are honest of the Dutch, being formerly kept out of imployment and businesse are very ignorant, and can neither speak nor write proper English.

The copy of my commission of Oyer and Terminer for trying the soldier at Albany I cannot send at present as you order me, the originall commission being at Albany and only the fiat remaining on record in the Secretaryes Office. But for proof of the Councill's consent to my said commission I send your Lordships M^{r} Graham's certificate (N^{o} 3.) and Colonel Courtlandt's (N^{o} 4.) As an instance and proof of Jamisson's altering the minutes of Councill which was a thing they made an article against me, the day I urged to the Councill that the four ships should give in good security when they went hence last summer to Madagascar, that they should not trade with Pirates there (which thing I formerly acquainted your Lordships with) Colonel Smith being the only man that stood up and spoke against it tho' they all opposed it as well as he, Jamisson came and shewed me the minute of Councill where he had writ down Colonel Smith's speech and arguments against my taking bond for those four ships. I afterwards told Colonel Smith of this accidentally and he went and gott Jamisson to leave out his name and speech intirely out of the minute, without acquainting me or the Councill with it. But I understand it was a daily practice with Colonel Fletcher and his man Jamisson whom he often called the honestest man in the world, to mend and alter minutes of Councill as they pleased.

The granting letters of Denization which your Lordships in your said letter of the 5th of last January strictly forbid, is an error I confesse I have been led into, partly through my own ignorance, but more especially by the Advice of M^{r} Attorney and Jamisson when he was

clerk of the Councill, who told me Fletcher had granted many letters of Denization. I believe I may have granted four or five in all, for which I only had twelve shillings a piece fees, and no more, which is the constant fee to the Governor for the seale of the Province; tho' I can prove that Colonel Fletcher took arbitrary fees in that case, and one of his denizens told me himself he paid Fletcher ten pound for his fee, and I am pretty sure he said Jamisson tooke five pounds for his. This is the only thing I ever imitated Fletcher in, for which I ask your Lordships pardon and assure you, you shall never hear of the like mistake again in me. I desire to be informed whether a Governor have not power by law to denizize a stranger in the Province he is Governor of, that so he may have the priviledges of an English man within that Province.

I am heartily glad of the designe of sending a squadron of men of War to the East Indies to suppresse the pirates who are grown intollerable both for number and the depredations they committ in that part of the world, and I wish Captain Warren good successe, tho' if he be not very well beloved by his men and have not been careful in choosing good men, he will run a hazard of being destroyed and of his men's running away with the King's ships and turning pirates. The temptation is soe great to the common seamen in that part of the world where the Moores have so many rich ships and the seamen have a humour more now then ever to turne pirates. I am in hopes the severall reports we have here of Captain Kidd's being forced by his men against his will to plunder two Moorish ships may prove true, and 'tis said that neare one hundred of his men revolted from him at Madagascar and were about to kill him, because he absolutely refused to turne pirate.

In answer to your Lordships inquiry after the two Indians brought over from England by Nicholls & Brooks I heare one of them staid among our Indians, but that the other returned to Canada, who is said to be a bloody fellow and our great enemy.

Your Lordships write that for a maintainance for Ministers for our Five Nations of Indians, you applyed to S^{r} Henry Ashurst that part of the Corporation money might be appropriated to that use; but you will give me leave to put you in mind that S^{r} William Ashurst had been the properer person to have made that proposition to, because he is Governour of the Corporation. When I goe to Boston I will try to dispose those of the Corporation that are there to consent to it, and will afterward informe your Lordships whether I can prevaile or not.

To confirme your Lordships in the maintainance of the Port of New Yorke against the pretentions of the Proprietors of East Jersey, I send your Lordships the copy of the Duke of York's letter to Colonel Dongan when Governour of New Yorke, which accidentally has fallen into my hands. 'Tis copyed by M^{r} Spragg then Secretary of this Province, and I believe it is a true one. This letter shews that the Duke of Yorke was tender of the priviledges of New Yorke in that respect, and that he rejected the pretensions of the said Proprietors to have freedome of port at Perth Amboy, in East Jersey. The Duke's letter goes mark'd thus (+)[1]

I am glad your Lordships are made sensible of the want of men of War here and at Boston, at a time when the French are incroaching on our fishery & insulting us with ships of war, and not a man of War in all this coast to look them in the face and protect the King's subjects from their insolence: at a time too when piracy is so common. But since your Lordships cannot prevaile with the Admiralty Board, I hope you will apply to the fountain head, the King. I ask pardon for presuming to advise your Lordships on this occasion. I took that

[1] See Vol. III., 348.— Ed.

Board's usage of me in their manner of recalling the Deptford and Fowy Men of War, so ill, that I have not since wrote to them; for what purpose should I desire ships, when they regard not your Lordships' solicitations, who have a right to interpose your authority in that matter.

Your Lordships seem to approve of my proposal of building the two Forts at Albany and Schenectady and of applying Colonel Fletcher's debt to that use and therefore you advise the making a strict audit of the Accounts and survey of the buildings. But as I have said before being now to goe to Boston, 'tis impossible for me to have any thing of that kind done. The accounts which I had by me (and which were the originalls of those I sent your Lordships by Lieutenant Hunt) the House of Representatives borrowed of me to assist them in an examen they intended to make, but when they had them they had not skill enough to make use of them; and part of them were stolen and imbezzeled; so that it would be a new and tedious trouble to state those accounts over again. I hope your Lordships observed that besides a certain ballance of above four thousand pounds charged upon Fletcher and Brooks there were several considerable summs of money given by Assembly which we could find no account of, and therefore a good charge upon Fletcher, till he shall have discharged himself fairely of the same. Then there are the articles of his frauds to the soldiers, the unpresedented salaryes to his man Honan, and the 30£ p^{r} Cent. of which there was noe satisfactory account. I reckoned that there was about nine thousand pounds a certain charge on him, besides the buildings and the money he made by the sale of lands. The truth is I was in hopes your Lordships would have sent over an honest expert accountant to have assisted me in a stricter audit and I should have thought five or six hundred pounds well bestowed on such a man for his paines in coming over and his good performance of such a service and it would be very usefull to deter other Governors from the like corrupt practices.

I am glad the map of the Province which I sent your Lordships pleases you. But as for a more correct book of the laws which you order me to send, 'tis not to be had. I sent for the printer and spoke to him about it, and he told me there was no remedy for it because he had nobody to correct the presse at the time he printed them.

As to my mustering my servants, I am very well pleased to be stinted and have marked with a crosse my six servants last mustered, that as many of them be check't as the proper officer shall please pursuant to the King's order. The Muster Roles of the four Companies I send herewith, four of each company, to be disposed of in the proper offices. Our men desert apace, and I do not wonder at it; I doubt the officers will do so too in a while, or be starved for want of their pay and subsistance. I think we have been barbarously used by the Pay Office. I am forced to lend £20 a piece to the Lieutenants and Chaplain out of my salary, or they must downright starve, and at the same time I am put to borrow mony for my own use and am above four hundred pounds in debt in this town, my salary being so mean and insufficient and the perquisites so very inconsiderable. That your Lordships may be judges of all the profits of this government, I resolve you shall know to a shilling what the perquisites are from time to time. I formerly sent you an account of the seizures of ships and unlawfull goods with the apprizements and sales of them, and for how much; and in thirteen months that I have been here I have got but eighty three pounds six shillings New Yorke mony from the Secretary for passes for Ships, Licences for Marriages and Probats of Wills and all other things wherein the Seale of the Province has been used. And when I went to Albany the present from the Indians consisting in Beaver skins and some few other skins I sold for eighty eight pounds nine shillings and ten pence New Yorke mony. I can safely declare upon oath

that the particulars above specifyed and my salary of four hundred pounds p^{r} Annum are all the proffits I have had, received, or made, directly or indirectly, since my being in the Government, that I know or remember.

To answer your Lordships letter of the 2nd of this last February, which I received three days since, and which expresses the application made to your Lordships by the merchants and their fears upon the score of my countenancing Leislers party. I have this to say, that the merchants of this town are full as ingenious as they are honest. I have often told them before and since the Session of Assembly, that I would never be guilty of so unacountable a folly as to consent to a bill for reparation of damages to the Leisler party unless I had the King's expresse commands for so doing. And after all the noise of seventeen thousand pounds that they gave out would be the summe in demand by that party, I do not find that it amounts to full five thousand pounds. They pretend I favour that party: I would gladly know wherein I favour them beyond the rules of justice. I suffered them indeed to take up the bodyes of Captain Leisler & M^{r} Milburn and give them Christian burial, and I do not repent my so doing since no manner of ill consequence ensued, and if it were in my power I would restore them to life again, for I am most confident and dare undertake to prove it that the execution of those men was as violent cruell and arbitrary a proceeding as ever was done upon the lives of men in any age under an English government and it will be proved undenyably that Fletcher hath declared the same dislike and abhorrence of that proceeding that I now doe, notwithstanding his doubleness in publishing a book to applaud the justice of it and skreen his sycophant Councillors Nicholls, Bayard, Brooks and the rest of the bloodhouunds. And I will when I have a little leisure acquaint your Lordships with some particulars about the tryall and execution of those men that I believe you are now unacquainted with. I do not wonder that Bayard Nicholls and the rest of the murderers of those men should be disturbed at the taking up their bones; it put them amind ('tis likely) of their rising hereafter in judgement against them. But why the Merchants of New York or their correspondents in London should be allarmed at it I can not imagine; only that they would make every thing a pretence against me, that I may be removed, and another Governor like Colonel Fletcher might succeed me, that would restore 'em to a full enjoyment of unlawfull trade and piracy. I had long since forgot all things relating to the Revolution in this Province and the very name of Leisler, were there not Blood in the case, and we are told the blood of innocent men cryes for vengeance to Heaven; and I should accout myself an accessary to that cruell fact if I concealed from your Lordships the truth of what I discovered in relation thereunto. M^{r} Bayard has sent over hither the copy of a petition of some few merchants of London complaining of me for favouring the Leisler party. I have not been able to get a sight of it; but some that have read it tell me it is very spitefull, and that it much applauds the justice of all the proceedings against Leisler and Milburne; which I can not but think an insolence of a high nature in those merchants when the Act of Parliament, that reverses the Attainder of those men, does plainly condemn and explode that whole proceeding against them. But I suppose those petitioning merchants have the same respect for every man of us that were actors in the late happy Revolution in England that they have for the memory of Leisler and Milbourne and would be glad we had the same fate with them. I acquainted your Lordships formerly that the merchants of New Yorke fell out with me the first week I was in this government upon my ordering the seizure of the ship Fortune and East India goods brought in her; therefore never

let 'em perswade you that their quarrell to me was grounded on my giveing countenance to the Leisler party. I was three weeks in this town before I ordered the Attorny Generall to make out a writt of Restitution to put Mr Leislers and Mr Milbourn's heires in possession of their fathers estates, and that was the first act of justice (which they are pleased to call favour) that I did for the Leisler party. I have formerly and in some of my letters by this conveyance given your Lordships my reasons for turning some of the factious angry party out of the Commission of the peace and the Militia, and putting some of Leisler's party in their places, which was a necessary and reasonable act of justice, the Leislerites being at least three to one in the Province, and most amenable to the laws and government; and besides the justice of letting them into a share of the government, I have got the Revenue settled by that means, which the other party laboured against with all their hearts and soules. And now I appeal to your Lordships great wisdome and justice whether in these particulars I have not done my duty. I have made all the court that a man could do that the soule of a gentleman, to those angry merchants. I have invited them to my table and treated them with all the kindness I was capable of and encouraged their coming often to dine with me, but they would never come near me of their owne acord. I can not imagine the meaning of it unlesse my drinking King William's health (which is a custome with me allways after dinner) frightned them. There are two Acts passed this session that have a retrospect one of them to the time of Slaughter's government, which is an Act of indempnity for severall honest men that were excluded by name out of an Act of indempnity passed in his time. This was thought so reasonable a thing that the angry party in the House of Representatives voted for it. The other is an Act for preventing vexatious suites of law upon the Account of the late happy Revolution and for reversing unjust judgements and executions, and among the rest a most unjust judgement obtained by Mr Nicholls for one thousand pounds (as I take it.) The Act is coppyed after an Act of Parliament in England soon after the Revolution that bears the same title; and Brooks carryed home one hundred pounds to procure the King's positive order to me to passe a bill of indemnity that was prepared by Nicholls to passe the last Session and contrived by him to let that judgement stand good. I can prove the sending over the hundred pounds by Brooks, and it was a contribution of eight and twenty of the merchants and a few other angry people, which is the more worthy your Lordships knowledg that you may observe what an influence Nicholls has on these people when he can make them spend their mony to serve his ends and interest. In the Act for preventing Vexatious Suites there are the words (Disaffected persons) apply'd to those that opposed Leisler. The Bill passed without any struggle in the House of Representatives where it began; but at Councill it mett with some opposition, one of the Councill telling me if the Act passed here it should not passe in England, for that there should be spent twenty thousand pounds rather than it should be approved by the King. I told him he had found out the onely way to make me a friend to the Bill. The next day upon the Second Reading, I jeering him about the twenty thousand pounds, he had the confidence to tell me, that if twenty thousand pounds would not doe, there should be forty thousand pounds given to stop the King's approbation of it in England. This so abominable a ref[l]ection on the government of England, but so common a one here, that I hope your Lordships will take effectuall care to put all imaginable discountenance on it. If I be rightly informed they are now raising money by contribution to send home to Bayard their Agent, who I hear makes them beleive mony will do anything at Court. I thought a man that went over under such a criminall accusation as he has done, went with a rope about his neck, and would never be admitted to

appear as an Agent at Whitehall. I was so provoked at the persons useing this reflection in Councill, that I was about to suspend him, not that I was surprized to hear it come from him, because it is well known he was very active against the Revolution, and if his inclination or indeavours could have prevailed, King William had never been declared or owned in this Province. I will but trouble your Lordships with one particular more about the Revolution, and 'tis to observe to you that their Majestys King William Queen Mary were never yet proclaimed King and Queen in this Province by the Civill Magistrate. Captain Leisler was the only man that proclaimed their Majestys; he was in possession of the Fort when the Proclamation came hither from the Secretary of State & he immediately ordered it to be read at the Fort with all solemnity and then carryed it to a person who was of his Majesty's Councill at my comeing and still is so, who was then Mayor of this Citty, and desired him to publish it; but he refused. This I can affirme for a truth, having heard the person charged with it before myself in Councill by two gentlemen of the Councill who were present when he refused Captain Leisler to proclame Their Majesties, and he could not deny it. Bayard too, I am told, indeavoured to hinder Their Majesties being proclamed at Albany, in opposition to Captain Leisler's order to the Mayor of that town to do it.

Some friends write me word from England that Colonel Fletcher and his partisans report me to be the most arbirary Governour that ever was known. I think my principle was very well known to be quite the contrary of that, both in and out of Parliament in England, and now I challenge all the people of New Yorke to shew where I have punished or personally ill treated any man, notwithstanding I have been libelled and reflected on at their clubs and other publick meetings. But I thought their abuses fitter to be laughed at then otherwise resented. I would gladly have them tell wherein I have perverted justice since I have had the administration of this government. 'Tis indeed wonder I have not made many slips, considering I have noe manner of help in the management of business, nor a lawyer whose knowledge in the law I can depend on. Brooks writes to his friends here very confidently that I shall not be long lived in this government, and he uses this expression,—That if villany and falshood do not prevaile, they shall be rid of their Tyrant very soon. My honest endeavours to serve the King are ill rewarded and treated if I must be the marke for such upstarts as Brooks to let fly their insolence and scurrillity at me, a fellow that was bred up in my Uncles family as his dogs were, with licking the dishes and eating the scrapps from his table; and what advancement he has had in the world is owing to my father and my selfe.

Mr Weaver writes to me that at Colonel Fletcher's hearing before your Lordships, Brook's produced a letter from M^{r} Randolph to the Secretary of the Customes, acquainting him that he had been trick't into the giving a certificate against Brooks at New Yorke. M^{r} Randolph had done well if he had said by whom he was trick'd. He could not charge me with it, for he sent me the certificate of his owne accord. I remember all that passed between M^{r} Randolph and me about Brooks perfectly well. Upon Brooks's trifling and tricking in the seizure of the ship Fortune and goods, I told M^{r} Randolph of it, with severall remarkes I made of Brookes's knavish carriage in that matter and M^{r} Randolph then made answer that he wondered not at it, for he had been long enough acquainted with Brooks's tricks, and that he had newly discovered severall corrupt practices in the Custom house here, which he would communicate to me. When I was drawing up the complaint against Brooks, to your Lordships, I asked M^{r} Randolph for the charge he told me he had against him, which I said I would add to that which I was

preparing myself and I shewed him what I wrote to your Lordships about Brooks, and he afterwards sent me the Certificate. This is so great a truth that I dare appeal to Mr Randolph's own veracity in it, and if he were so disingenuous as to deny it, yet I can prove it by the person he sent the certificate by, who is of undoubted credit. The justification of myself from the false aspersions of ill men has led me into a longer excursion from my business then I intended, and I ask your Lordships pardon for trespassing on your patience.

The House of Representatives it should seem are of opinion I have deserved well of the King and the publick, as appears by their addresse to me, which goes (N° 5) unlesse they meant it a complement, but whether it be so or no I can with great truth affirme I never solicited their addressing me as Colonel Fletcher used to doe.

I send the deposition of Edward Taylor about the Ship Fortune receiving pirates goods at Madagascar which will corroborate the evidence of John Payntree which I formerly sent your Lordships. It goes (N° 6.)

I also send Mr Attorney's Memoriall about Robert Glover the pirate (N° 7) 'Tis generally taken for granted here that he had a commission from Colonel Fletcher. His ship lay severall days within sight of the Fort here, and I am told there was an intercourse between him and Fletcher; but his designe of goeing to the Red Sea being very publick, 'tis likely Fletcher was so cautious as to give him a commission privately and not let it be registered; for the Register of the Admiralty Office denyes there is such a commission entered in the register book, and it is not material to Glover whether the Commission were registered or noe. I am, My Lords

Your Lordships most humble
and faithfull Servant
BELLOMONT.

New Yorke
May the 15th 1699.

Churchwardens and Vestry of Trinity Church, New-York, to Archbishop Tenison.

[Bib. Lambeth: No. 942. (149.)]

My it please your Grace.

The English nation for above Thirty Yeares had been possessed of these Countreys without any place for public worship of Almighty God, in this City, except the Chapel in the Fort, built by the Dutch, and ('till lately that they built another,) alternatively used by both nations for the exercise of their religion, so that though the English grew numerous, the government in their hands and the national laws took place, yet for want of a Temple for the public Worship according to the English Church, this seemed rather like a conquered Foreign Province held by the terrour of a Garrison, than an English Colony, possessed and settled by people of our own Nation.

That which for soe many yeares had only been wished for, without any reasonable hopes or expectation of effecting, Coll. Fletcher by his great zeal, generous liberality, and indefatigable

industry, in the latter part of his government brought so far to perfection that before his departure, he was divers times present, (to his own and the general satisfaction of the lovers of the English Church and Nation) at the public worship of God, in an English Church, of which (if we must not say he was the sole founder,) it is an offence to truth, and an injustice to him not to affirm that he was the principal promoter, a most liberal benefactor to it, and that without him, to this day it never had had a being. As it owed its beginning to that gentlemen, so we must acknowledge its growth and increase is not a little in debt to M^r^ Vesey, our present Minister, who, by his good parts and bearing, exemplary life, and inoffensive Conversation gives a reputation to his function, and has brought many into the bosom of the Church. So far as this, the subject we write of to your Grace is extream agreeable and pleasing, and it is our inexpressible grief that we are forced to offer any thing of a Contrary nature.

The fair character common fame gave our present Governor, filled us with hopes of enjoying a large share of prosperity under his conduct; and in particular that the English Church might have flourished under his administration, but experience has udeceived us, and we find ourselves under all the discouragements imaginable.

Whether this our unhappiness proceeds from the irreconcilable aversion this Nobleman has to our late Governor, Co^ll^ Fletcher, who gave birth to this Church, from his own inward principle, or other causes, we will not presume to determine, but this we are too well assured of, or at least our fears make us apprehensive, that nothing less than the destruction of this fair beginning is intended.

Not to trouble your Grace with many other instances, this following gives us abundantly ground for our belief. Coll. Fletcher towards the finishing of this Church gave a lease for *Seaven yeares of a small Farm*, (usually a perquisite to the Governor) rendring the usual rent *which* was 12^lb^ *p^r^ Annum*, and the highest it ever before had been lett for. The former tenant's time expiring this spring (when the lease to the Church begins,) the Churchwardens at an auction lett the farme to him who publickly bid the most for it, which was Twenty five Pounds for the ensuing year; but the Tenant coming to enter upon it, has been kept out by the Earl's order; who continually exclaims at this Lease, as if the sacred Patrimony has been most horribly invaded, when indeed had it been leased to the meanest Clown at the same rent, it had passed in all probability unregarded. It is not credible that such a trifle as Thirteen pounds per Annum, which is all the advantage can be made of it, can so much concern His Excellency, but a further design must be at the bottom, of which we have to many indications, and were this manner of dealing from a profest Enemy of the Church it were naturall, and what rationally might have attended. But being the actions of a person (lately) a constant hearer and usual Communicant, its the more surpriseing.

We humbly lay this matter to your Gracious Consideration, earnestly beseeching your Grace, as we are part of that Church and Nation, over which God in a most eminent station has placed you, we may be safe under your protection, and that this hopeful foundation of an English Protestant Church in these parts of the world may receive no mischief from those whose duty oblige them to give it assistance and further its welfare.

To prescribe methods we can lay no claime to, but humbly submit all to your Grace's piety and wisdom, not doubting but the Almighty God will inspire you to take such measures as will bee for his own glory and his Church's good: to the disappointments of its Enemys. For the

effecting of which, we heartily implore both your prayers and endeavours, being in all duty,

May it please your Grace,

Your Grace's most obedient
dutiful and most humble
Servants.
The Churchwardens & Vestry of Trinity Church in
New Yorke

Richd Willett
W. Nicholl
David Jamison
Thº Wenham
Robt Lurting
Jeremiah Tothill
Ebenezer Willson
Wm Huddleston
Will Anderson
Lancaster Symes
Ja: Emott
Will. Morris
Thº Burroughs.

New Yorke
May 22d 1699.

Earl of Bellomont to the Lords of Trade.

[New-York Entries, B. 310.]

To the Right Honourable the Lords Commissioners for Trade and Plantations.

My Lords.

I arrived here the 26th instant having left New Yorke on the 16th instant and prorogu'd the Assembly the morning I came from thence. I had writt severall letters at New Yorke to your Lordships upon severall subjects relating to the service of His Majesty and that Province, but having not had time to finish that letter which treats of the affairs of the Assembly, because of prorogueing them just at my coming away, I have since had a fit of the gout by taking cold at sea, so that I cannot well finish my packetts and make 'em up timely enough to send by this ship, but there going another ship next week to England, I shall then give your Lordships an ample account of all matters relating to that Province.

In the mean time let me acquaint your Lordships that the Assembly of New York have settled the Revenue for six years, after the year which is still unexpired of the former term. They have also passed some good acts besides, which I intend shall be transmitted to your Lordships very speedily. One of the acts for vacating the two extravagant grants from Colonel Fletcher to Mr Dellius the minister at Albany, that to Colonel Bayard which took in also part of the Mohacks land and of which they complained to me, that to Captain Evans, that of the Governor's demesne to the Church called the King's Farm, and lastly that to Mr Caleb Heathcote which was called the King's Garden: I say the Act that vacates those forementioned grants has rais'd against me the most implacable rage of the grantees and the other people who have grants full as extravagant and ruinous as these to the interest of the Province, are allarm'd, and become as much my enimies as those the Act dismounts of their grants; but

having the order of the Lords Justices of England of the 10th of last November *for using all lawfull ways to break those extravagant grants*, I value not the resentment of a few undeserving men; being sure 'tis not for the Interest of the Crown or the Province that ¾ parts of the lands and soil should be in the hands of ten or eleven men, as I undertake to make it appear, should Fletcher's grants stand good. Therefore am I for abolishing the rest of the Palatinates (for such vast tracts deserve no less a name) the next session of Assembly, if I have strength enough; but indeed I can promise nothing without a good lawyer to be Chief Judge and to sit in Councill and a good active lawyer to be Attorney Generall. I have stood single on my own legs in all these difficulties, and 'tis impossible for me always to bear all the burthen of businesse. The Bill for vacating the grants begun with us at the Council Board, and we sent it down to the Lower House, and there they added a clause for depriving Mr Dellius of his benefice at Albany, so that we were obliged to passe that clause as part of the Bill, or we must have lost the Bill, and I thought it better to loose a wicked Clergyman than a good Bill.

One of the letters I have prepared for your Lordships treats wholly of Navall stores wherein I demonstrate plainly that the province of New Yorke is the onely fit place for the King and Nation of England's being supplied with the severall species of pitch, tarr, and rozen, and I beleive for masts of ships too. Mr Dellius has lately had 90 masts cut on his largest grant, and that on the bank of a river that runs into Hudsons River, and they floated down to New York without any charge to him; the biggest was but 26 inches in diameter, but I am told there are much larger on that land and an infinite number of them and 'tis said too, the timber there is much firmer than that at Pescataqua and more solid. I doubt not but my scheme for the furnishing His Majesty with Navall stores will be acceptable to your Lordships, and I will undertake to furnish them within a trifle as the King has 'em now in time of peace from Sweden and Denmark; whereas I beleive at the rate the purveyors are like to have those stores made in New Hampshire, it will cost the King treble the price they now stand him in from the Northern Crowns.

In your Lordships letter of the 2d of February last you are pleased to caution me against passing an Act for reimbursing Leisler's party their demand of mony due to 'em since the Revolution. I am always pleased with your Lordships directions, for to be sure so long as I walk by rule, I shall be less lyable to error. But I could not possibly be guilty of so very foolish a step as that would have been, and the marchands of New York knew well enough that I would never consent to such an Act, neither was such a bill offered to me. I took a great deal of pains to satisfie 'em against such fears by declaring to 'em it was a step no man in his witts would venture to make & that I would not forfeit my discretion and the King's favour for any consideration whatsoever.

Mr Graham will bear me witnesse that I charged him severall times to publish my resolution against it, and he assured me he did it severall times to the marchands of New Yorke; therefore 'tis to be presum'd those marchands that troubled your Lordships on that score, did it purely for the sake of clamour. I am with much respect, My Lords

Your Lordships most humble
and obedient servant
Bellomont.

Boston
May the 29th 1699.

Lords of Trade to the Earl of Bellomont.

[New-York Entries, B. 299.]

To the Right Honourable the Earl of Bellomont His Majesty's Capt. Generall and Commander in Chief of His Majesty's Provinces of the Massachuset's Bay, New York and New Hampshire in America and of the Territories thereupon depending &c. Or to the Commander in Chief of His Majesty's Province of New York for the time being.

My Lord.

Circular letter from ye Board to ye E. of Bellomont Govr of N. Yorke relating to Patent Places Ships of War & pirates.

His Majesty having been pleased by some late Orders in Council to regulate certain matters relating to his plantations in America, and to require us to signify his pleasure therein to the respective Governours of his said plantations, and do what may be thereupon further necessary:

Patent Places

You are to take notice that His Majesty upon taking into consideration the inconveniences arising from the execution of Patent Places by Deputies, either unqualified or too much inclined by the high rents they pay unto Patentees to make indirect advantages of their respective places, has thought fit to order, That all the Patent Officers within his plantations be obliged by their patents or otherwise, to actual residence upon the place, and to execute their respective offices in their own persons, unless in case of sickness or other incapacity. And therefore in order to the better observation of His Majesty's pleasure in this particular, we think it necessary that you transmit unto us by the first opportunity a full and perfect account of all the Patent Offices within your Government, with the particular tenour and conditions of each respective grant, and how those conditions are complied with in the execution of the same: which we shall accordingly expect.

Ships of War

You are also to take notice, that His Majesty has been pleased to direct concerning the ships of War which are or may be appointed to attend any of his plantations, that especial care be taken that they be good sailers, that they be annually releived by others, that the Cômanders thereof be strictly required to observe the laws of the Plantations relating to the departure or transportation of the inhabitants, and not to carry off any inhabitants from the said plantations, contrary to the laws provided in each Plantation respectively; and that they do not leave their stations in any of the Plantations without the previous knowledge of the respective governors of the s^{d} Plantations and a due regard to His Majesty's service in those parts. Concerning all which matters in your government, together with what ever else has been formerly signified to you relating to His Majesty's ships of war there, we think it likewise necessary that you give us from time to time an exact account.

We have this to add in particular relating to the Provinces under your government, that the ship ordered by his Majesty for his service at New Yorke is to be of the sixth rate, and that of New England to be of the fifth rate: either of which your Lordship may make use of for your transportation to or from either of those Provinces as there shall be occasion.

Pirates.—

And whereas great complaints are frequently made of the mischiefs committed by pirates in remote parts and of the support and incouragement which they shall finde in His Majesty's Plantations in America, notwithstanding the repeated directions that have been given to the respective Governors thereof to take all possible care for the preventing of such ill practices; We cannot but thereupon mind you to use and continue your utmost diligence in discovering suppressing and punishing all offences and offendors of that kind whatsoever,

within your government. And to that intent we more particularly recommend to your care that strict enquiry be made after the ship and men described in the inclosed paper and that such of them as can be found be punished with the utmost severity of law, and the ship and cargo secured for those to whom they do belong. We are, My Lord,

[Plants Genl. B. from fol. 48 to 53.]

Your Lordships most humble servants

signed STAMFORD
LEXINGTON
PH. MEADOWS
JN° LOCKE
ABr HILL.

Whitehall
June the 26th 1699.

Earl of Bellomont to the Lords of Trade.

[New-York Entries, B. 441.]

To the Right Honourable the Lords Commissioners for Trade and Plantations.

My Lords.

A fit of the gout that seized me on the sea between New Yorke and this place prevented my sending two severall letters which I had almost finished at New Yorke, but had [not] time to perfect them because of the Assembly's sitting, which gave me constant imployment to the hour I came from thence. In one of those letters I expressed, as I now do in this, my humble acknowledgments to Your Lordships for the commendation you are pleased to bestow on my poor services at New Yorke, in your letters of the 25th of last October and 5th of January, which is a favour that pleases me abundantly more than any recompence that could be made me, and so great a value do I put on it, that I will never forfeit your Lordships good opinion and protection.

My other letter which I had not quite finished at New Yorke, nor till within these few days, bears date the 3d of May, treats of Bradish a pirate and severall sums of money taken with him and his crew, and goes now by this conveyance.

By the last ship that went hence to London about a fortnight ago, I writ five severall letters to your Lordships on severall subjects, four whereof related wholly to the businesse of New Yorke and were longer than I could have wished them for your Lordships ease; but I hope you will excuse their length, and what may be found crude and superfluous in them, for I am forced to be my own Secretary, and have not time nor health to write foul drafts of my letters & make emendations, and so contract the matter and pollish the stile of them, for such a labour would quite kill me.

There is one of those letters which bears date the 17th of Aprill last, which tho' it be long, will not I presume be unwelcome to your Lordships, because I demonstrate therein that the King and nation of England can be best supplied with Naval Stores from New Yorke, and as cheap or cheaper than they have them at present from Sweden & Denmark; and I find upon discourse with Mr Bridger the Purveyor who is now here, that at the dear rates he pays for

labour in New Hampshire, the Stores will cost very near ⅔ parts more, than they will be afforded, according to my scheme, in my said letter. I have not writ about it to the Lords of the Admiralty or Commissioners of the Navy, for I have had no incouragement to hold a correspondence with those Boards; but have applied wholly to your Lordships, from whose influence and direction alone, under his Majesty, I expect this noble and national designe must receive life and motion.

Severall papers relating to our Five Nations of Indians containing messages between me and them I have brought with me from New York, and severall others which my Lieutenant Governour has lately sent me; all which I designed for Your Lordships by this conveyance; but I find it impossible to get them fairly transcrib'd, they being very voluminous. I believe a quire of paper will scarce contain them. Your Lordships shall have them by the next ship that goes for England. In the mean time I can tell you the French Governour Mons^{r} de Calliere having lately set at liberty those Indians of ours he had prisoners at Montreal, it has put our Five Nations into good humour; severall of the Sachims to the number of 40 or 50 were lately at Albany were much made of and went home very well pleased and declared they would not think of going over to the French. To please 'em and keep 'em steddy to us, I sent 'em word I hoped to prevaile with the King to order a Fort to be built in the Onondages country where a garison should be kept to cover 'em from the inroads of the French garison of Cadaraque Fort (which is a great terrour and disturbance to them) and they have laid hold on my promise and desired I will perform with them; but I would not have them know the small capacity I am in of doing it, for without mony 'tis impossible to build Forts.

I understand there are about 30 pirates come lately into the East end of Nassau Island and have a great deal of money with them; but so cherished are they by the inhabitants that not a man of them is taken up. Severall of them I hear came with Shelly from Madagascar: Shelly is one of the Masters of Ships that I formerly informed your Lordships went last Summer from New York to Madagascar; he is a dweller at New Yorke, and M^{r} Hackshaw one of the Merchants in London that petitioned your Lordships against me is one of his owners, and M^{r} de Lancey a Frenchman at New Yorke is another. I hear too that Captain Kidd dropp'd some pirates in that Island. They write from New Yorke that Arabian Gold is in great plenty there, and indeed till there be a good Judge or two and an honest active Atturny Generall to prosecute for the King, all my labour to suppresse piracy will signify even just nothing. The people there are so impudent in abetting and sheltering pirates and their goods, that without such assistance as I have now proposed, I can never expect to check that vile practice of theirs. When Frederick Phillipps's ship and the other two come from Madagascar (which are expected every day) New York will abound with gold 'Tis the most beneficiall trade that to Madagascar with the pirates, that was ever heard of, and I beleive there's more got that way than by turning pirates and robbing. I am told this Shelly sold rum which cost but 2^{s} per gallon at New York, for 50 shill^{gs} and £3 p^{r} gallon at Madagascar, and a pipe of Madera Wine which cost him £19. he sold there for £300. Strong liquors and gun powder and ball are the commodities that go off there, to the best advantage, and those four ships last summer carried thither great quantities of those things.

In my letter to your Lordships of the 15th of last May, I gave your Lordships an Account, that I had sent as you directed the copies of my letters to the Lords of the Treasury, but being ill myself when that packet was made up, my servant forgot to put up those letters; but I now send them, that of the 27th of October 98, goes (N° 1) that of the 14th of November 98, goes

(N° 2) They mention M^r^ Brooks but slightly, because I referr'd their Lordships to the letters I had writ to your Lordships about him; copies whereof I sent them at that time.

There goes with this conveyance a letter to your Lordships which my indisposition hindred me from finishing at my first coming hither, as it did some others I have mentioned before: it bears date the 13^th^ of May and give a particular account of the trade of New Yorke and it concerns me much that your Lordships should be exactly informed of that matter.

I send your Lordships six months minutes of Council, by this conveyance, and also the transcripts of the laws enacted this last Session of Assembly of New Yorke. The Act which breaks some of Fletcher's Extravagant Grants of Land, has much inraged the Grantees against me, but I little value that, being satisfied in my own conscience that 'tis honest and just to dissolve and make void grants that have been fraudulently obtained, and, what is more, having had the orders of the Lords Justices of England bearing date the 10^th^ of last November for so doing. M^r^ Dellius the Dutch Minister at Albany who had the two largest grants, is gon to England to complain and try to hinder the King's approving that Act, which breaks his and some few other grants. The angry people of New Yorke have made a purse of £500 for him and those of Albany £200. not that he had need of it, for by his penury he has got a good deal of money of his own. He has carried home, I mean to England, certificates of his piety and good life, under the hands of the angry people; and I am told there are counter certificates signing by the Leisler party with four times the number of hands to 'em. If a great lyar incendiary and proud person, make up the character of piety then M^r^ Dellius may passe for a Saint. I sent your Lordships formerly the conferences I had with the Mohack Indians at Albany and then observed what impudent lyes Dellius told me in the face of all the Magistrates of that town and many other persons. I since sent your Lordships my Lieutenant Governor's certificate along with my letter of the 13^th^ April last to shew how wickedly Dellius went about to divide my Lieutenant Governor from me, and make him joyne with himself and party against me. Till I went to Albany he always pray'd in Church for the Crown of England, but not for King William. I remember the first Sunday after my going to Albany some of the honest Dutch went to hear him preach (of those I mean that accompanied me from New Yorke thither) and observing he pray'd not for the King, complain'd to me of it. I sent for him and reproved him and his excuse was that it was Sacrament day, and not customary on those days to pray for any body in the Dutch Churches. I could not beleive him then, nor do I yet, but it was a blundering lying excuse like the man that made it. He was one day indeavouring to suborn Henry, a Christian preaching Indian, to swear against two or three of the Magistrates of Albany that are not in his favour, and the Indian came to those Magistrates and told 'em what Dellius had been labouring to make him sweare, and cried out with horrour and amazement, Good God what does M^r^ Dellius mean by teaching to lye, and yet pretend to save our souls. This happen'd last summer, and those Magistrates sent me word of it. Dellius has now carried over with him a Certificate or some such instrument under the hands of four Justices of the Peace at Albany of a confession made by Henry and some other Christian Indians, but the other Magistrates hearing of it, about a dousen of them examin'd Henry and the rest and put the examination into writing, which goes (N° 3.) by which your Lordship will see that he tampered and used artifices with them to get them to lament his leaving the Province; and a good part of what he had set down in writing as a confession of theirs they positively deny to have said in this paper. My Lieutenant Governour hearing what contention and heats Dellius had caused among the people at Albany by his ill practices with those Indians,

cited him and them to appear before himself and the Council at New Yorke there to be fairely and openly examined; but Dellius absconded and would not appear, getting into the Jerseys to be out of my Lieutenants Governours reach, and from thence he imbark'd for England. His hopes I understand are to stir up the Classis of Divines at Amsterdam and those that reside in London, to take his part. Then he thinks he has a sure friend of the Bishop of London by the means of Colonel Fletcher, and I heare M^r^ Vesey[1] the English Minister at New Yorke has writ large encomiums of him to the Bishop. And my Lieutenant Governour writes to me that Vesey has left me out of his prayers, as Governour, and prays for Dellius by name, both in the Common Prayer and afterwards in the pulpit, desiring God to give him a prosperous voyage, to deliver him from the violence of his enemies and send him safe back again to his flock. This is such an insolence as I must desire your Lordships will please to joine with me to have this man deprived, for it cannot be thought I will ever go to Church while that fellow continues Minister there. What is personall to myself I can forgive, but for him to pray publickly for Dellius and his return to his flock, when he stands deprived by Act of Assembly is such an arraignment of the justice of the Province, that there's an end of government, if such an insolence be suffered to passe unpunished. To shew your Lordships how strangely disingenuous this man's carriage has been to me, he sent me word by M^r^ Graham the Attorney, that the angry party at New Yorke led him such a life for preaching up and exhorting to peace, charity and reconsiliation (tho' himself medled not with parties) that he should be forced to quit the town and Province; he afterwards came and told me the same thing, and that he look'd upon that wicked temper of theirs to be a sure argument of their guilt and of their being in the wrong. The same also he told my Lieutenant Governour, and likewise a story of Colonel Fletcher that for the vanity of it equalls his stiling himself Imperator in the inscription under his coat of Arms within the Fort. Vesey confessed he had obligations to Colonel Fletcher yet he could not but own he was an ill man, and he gave the following reason for it; that after I had superseded Colonel Fletcher, he went and read prayers at his house, praying for him as a private person, and leaving out the titles of Governour and Excellency. After prayers Colonel Fletcher call'd him aside and asked how he came to leave off praying for him as he used to doe and whether he had forgot his respect for him. M^r^ Vesey made answer that he being no longer Governour, he thought he could not truly nor justly give him the titles belonging to a Governour. Upon which Fletcher with great passion bade him be gone out of his house and never come near him more, for he would have no more to say to him or his prayers. This I had from the Lieutenant Governour at New Yorke, who is too much a man of honour to forge such a story. Vesey's father lives near this town, is a most violent Jacobite and perhaps the boldest and most avowed one that has been known any where. The indictment (for he was try'd convict and sentenced to stand in the Pillory for uttering desperate words against his Majesty) is worth your Lordships reading, a copy whereof goes (N° 4) tho' it be not a constant rule that the same principles descend from father to son, yet it must be granted that where a son is bred up to the age of a man under an ill father, 'tis extraordinary if the

[1] Rev. Wm. Vesey graduated at Harvard College, Mass., and removed thence to Long Island, where he officiated as a Dissenting Minister. On the incorporation of Trinity Church, N. Y., in 1696, he was invited to conform. *New-York Documentary History*, 4to., III., 265. He accordingly proceeded to England, where he received holy orders, and officiated, for the first time, in his new church on 6th February, 1697. He revisited England about 1712, when he received the appointment of Commissary to the Bishop of London in New-York and the neighboring province. He discharged the duties of that office, and of Rector of Trinity Church, until his death, which took place on the 11th of July, 1746, as we learn from Berian's *History of Trinity Church*, 62.—Ed.

son do not imbibe ill principles from the ill man his father, so that extraduce one would incline to beleive Parson Vesey disaffected to the Government, and his behavior at Yorke since my coming away confirms me that he is so. I desire your Lordships will please to prevaile with My Lord of London to send over a good moderate Divine of the Church of England to supply the cure at New Yorke in the room of M^r^ Vesey; for I take the honour of the government to be concern'd in the displacing of that man. And I must further presume to tell your Lordships that if he be not turn'd out and Dellius kept out, so as that Act of Assembly that deprives the latter be maintained and approved at home, there will be no businesse for me at New Yorke, nor indeed for any honest Governour for the people there being so headstrong and tumultuous as they are already, how much more will they be so, if their party receive countenance and favour from the government in England.

If your Lordships mean I shall go on to break the rest of the Extravagant grants of land by Colonel Fletcher or other Governours, by Act of Assembly, I shall stand in need of a peremptory order from the King so to do, which will animate the House of Representatives that sometimes have not courage to go through with a businesse of that kind, unlesse they see they shall be supported by the Government of England. The Lords Justices letter of the 10^th^ of last November is with me a sufficient authority to proceed in that matter, but I know that orders renew'd from Court are more forcible with the people I have to deal with both in the Council and Assembly of New Yorke. If I may not proceed with the breaking of the remaining Extravagant grants then I shall become an humble petitioner that the Act I now send home for breaking Dellius's two grants &^c^ may not receive the King's approbation, but be rejected; for I should reckon it a great injustice to break some grants and spare others no lesse extravagant than they; and I would by no means be an instrument in such injustice. Colonel Peter Schuyler, M^r^ Ranslaer, M^r^ Livingston, Colonel Beckman, Frederick Phillipps and his son Adolphus Phillips, Colonel Courtlandt and Colonel Smith, have vast tracts of land that are not lesse than twenty miles square, one with another, and I believe I say the least. Coll. Courtland has two of those great grants and Colonel Smith's runs fifty miles in length on Nassau Island, and there is an infinite number of goodly pines for pitch tar and rozen, as Mons^r^ Bernon assures me who took a view of them; besides Colonell Smith has got the beach on the sea shore for fourty miles together, after an odd manner as I have been told by some of the inhabitants, having arbitrarily and by strong hand (being favour'd and supported by Colonel Fletcher and being Chief Justice of the Province, a place of great awe as well as authority) got or rather forced the town of Southampton to take a poore £10 for the greatest part of the said beach, which is not a valuable consideration in law, for Colonel Smith himself own'd to me that that beach was very profitable to him for whale fishing, and that one year he cleared £500. by whales taken there. I confess I can not have a good opinion of Colonel Smith; he knows what pressing orders I have from England to suppresse piracy, and if he were honest and did his duty, there would not a Pirate dare to shew his head in the East end of Nassau Island, he is so seated towards that end of the Island that he could disturb and seize them as he pleas'd, and yet that end of the Island is at present their rendevouz and sanctuary. Colonel Smith is under a double obligation to suppresse piracy being both Chief Justice of the Province and Judge of the Admiralty Court.

By one of the Acts of Assembly of New Yorke now sent there is a present of £1500 New York money made to me and £500 to my Lieutenant Governour. The House of Representatives would have presented me with £2000, but I refused so great a sum because I found upon inquiry

none of the Governours before me had above £1500. and I thought it best to walk by precedent. The Act (as the King's instructions directs) gives the mony to his Majesty with an humble desire that his Majesty will be pleased to bestow it on me, and my Lieutenant Governour. I hope your Lordships will procure the King's leave and order that we may have the advantage of it, & that as soon as conveniently may be, for we stand in need of that benevolence of the countries.

The House of Representatives sent up a Bill to me and the Councill for settling a Dissenting Ministry in that Province, but it being contrary to his Majesty's instructions, and besides having been credibly informed that some of those Ministers do hold strange erronious opinions in matters of Faith and Doctrine, I would not give the Assent to that Bill, but rejected it.

I must intreat your Lordships to recommend Mr George Tollet to his Majesty to be Secretary of the Province of New Yorke in the room of Mr Clarkson the present Secretary, who is so very weak a man and incapable of businesse, that he never was thought fit to be of his Majesty's Council of that Province. I have forbore all this while to endeavour the displacing of him, in pure charity to him, but I am so tyred out with businesse and he perfectly uselesse to me, that I must again request your Lordships to let me have the assistance of a man of sense and businesse. Every body knows that a Secretary of a Province ought to set in Council and that he ought to be very honest as well as able, and being so qualified he is, as it were, the Governour's right hand. I beleive Mr Tollet is known to most of your Lordships; he was Secretary to the Commissioners of Accounts, and they valued him as a jewell. He is an excellent mathematician and no man in England a readyer accountant. He is a very honest man, very judicious, and of great application in businesse. I am not certain he will come over, but if he will, I know no man more capable of serving the King. He would canvasse the accounts of the Province from time to time and now that there will be lands to be distributed, he would survey 'em nicely well. If Mr Tollet will accept of the Secretary's place, I hope your Lordships will please to give him all reasonable incouragement; I mean 2, or £300. to be procured for him from the Treasury to pay for his commission and bear his charges to New Yorke. All the while I was at New York I was perpetually in businesse from five in the morning till ten at night (except dining time) and that which gave me the greatest trouble was the answering letters from the English and French Governours, which I was every post or by ships obliged to do, and that with my own hand, for I had nobody to help me. There are three Lieutenancies now vacant in the four Companies at New Yorke. I do not, as others have done, prefer my Valet de Chambre and servants to those posts; but I am sending to England to get an able Master Gunner or two for the Forts at Yorke and Albany, and a good Surveyor put into those postes. I contrive as well as I can for the King's interest and service.

I am next Thursday to go to New Hampshire to take that government upon me, where I propose staying about three weeks, and will, if my health will allow it visit the very utmost bounds of the King's territory to the East and joyning upon Accadie, which the French have unfortunately got from the Crown, thanks to good King Charles the 1st 'Tis called St Georges River[1] and lyes about 25 leagues eastward of Pescataqua.[2] At my returne hither I shall make but a week's stay and shall then go to Rhode Island to execute a commission from his Majesty sent me by Mr Secretary Vernon to inquire into the severall misdemeanours alledged to have been committed by the government of that Island.

[1] In the east part of Lincoln Co., Maine.

[2] Portsmouth, New Hampshire. — Ed.

I forgot to tell your Lordships in the body of this letter, that since my leaving Yorke Mr Clarkson the present Secretary struck Mr Parmiter the Naval Officer a blow in the face, just by my Lieutenant Governours Chamber door, within his Majesty's house and Fort, which is no lesse an insolence than if he had struck him within Whitehall, for one is as much the King's house as the other. I am with respect

My Lords

Your Lordships most humble

and obedient Servant

Boston
July 22d 1699.

Bellomont.

Earl of Bellomont to the Lords of the Treasury.

[New-York Entries, B. 459.]

N° 1.

My Lords.

Copy of the Earl of Bellomonts letter to the Lords of the Treasury dated the 27th October 1698.

I have directed Mr Weaver the Agent for this Province to wait on your Lordships with some papers relating to this Province, which I take to be proper for your perusall. I must own to your Lordships the shifts I am forc'd to make by Mr Clements disappointment of me just at my leaving London. He was to have come with me as my secretary, but changed his mind when it was too late for me to provide another; and now I am forced to be at the trouble of writing all the first draughts of my letters myself, and by that means am forced to make one general letter (where I give an account of all affairs under my Administration) serve for your Lordships and the rest of the Ministers. In my letter of the 21st Inst. which Mr Weaver will lay before your Lordships there are some things that particularly come within your Province, among the rest the grants of lands, which your Lordships will find to be so extravagant in Coll. Fletcher's time, that to prevent the ruine of this Province, which by its situation as being contiguous to Canada I reckon the most considerable of any, I hope your Lordships will find out a way to vacate, and at the same time lay a restriction on all Governors never to grant above 1000 acres to any man whatsoever without particular leave from His Majesty, and to reserve a Quit Rent of half a crown on every hundred acres to the Crown, and to be forbid selling any lands upon pain of the losse of his imployment. I have made a full Representation of these matters in the letter which I have mentioned that Mr Weaver is to communicate to your Lordships.

The next week I am to send your Lordships a state of the Revenue and Accounts of this Province which will shew you the corrupt management of Coll. Fletcher and will be a further evidence of Brooks the late Collector's corruption in his imployment. I am with great respect

My Lords

Your Lordships most humble

and obedient Servant

New Yorke
Oct^{r} the 27th 1698

Bellomont

Earl of Bellomont to the Lords of the Treasury.

[New-York Entries, B. 461.]

N° 2.

My Lords.

I am obliged to use the same method this time that I did the last, to make one sett of letters serve for your Lordships and the rest of the Ministers, for having had a great deal to write and no help but that of the Clerk in the copying part I have been forced to take this course. I have sent a state of the Revenue and Accounts of this Province during Colonel Fletcher's Government, in as plain a method as I could form them in the little time I have been about them, and considering how very intricate the Accounts were that I had recourse to; and had it not been for the Audits which Colonel Cortlandt kept by him, I could never have come at any knowledg in the accounts. If your Lordships will be pleased to be at the trouble of reading my letters of the 7th and 8th Instant, which I now send, they explaine both the states. My letter of the 7th treats wholly of the Revenue and that of the 8th of the Accounts, and your Lordships upon reading them will see new instances of Colonel Fletcher's and Mr Brooks's the late Collector's corruption. Mr Hungerford, one of the present Commissioners of the Revenue, made a seizure last week of a brigantin, a bark, and of some parcells of East India goods, in three severall houses in this town; lists of the East India goods I send under cover with this letter. Your Lordships will see we are not idle here, but are upon the watch to check the unlawfull trade of this place pursuant to his Majesty's and your Lordships instructions. When any seizure is made here the merchants are ready to rise in rebellion, and so little have they been used to that in Colonel Fletcher's government that they look on it as a violence done them when we seize unlawfull goods in their warehouses and shops. 'Tis almost incredible what a vast quantity of East India goods whould have been brought into this port, had there not been a change in the Government. Two men in this town had for their share £12000 each, which were brought from Madagascar and got there with the barter with pirates and some of those pirates had Colonel Fletcher's commission. Besides there came home to the mouth of this port 8 or 9 pirate ships since my coming to this government, which would have brought in a vast quantity of those goods, and by the confession of the merchants in the town they would have brought in a £100000 in gold and silver, and this inrages them to the last degree that they have miss'd of all this treasure and rich pennyworths of East India goods and now they drink Colonel Fletcher's health with the greatest devotion imaginable, upon the remembrance of his kind concessions to them and the dispensing power he gave himself and them against the laws of trade and piracy. I shall expect your Lordships orders in reference to the revenue and Accounts of this Province, which shall allways be entertained with all the complyance and respect that becomes,

My Lords

Your Lordships most humble

and obedient Servant

BELLOMONT.

New Yorke

14th Novr 1698.

Examination of Hendrick the Mohawk.

[New-York Papers; Bundle H. I. K—H 5.]

Albany the 10th of June 1699.

PRESENT—Hendr Hanse Esq: Mayor
Jan Janse Bleeker Recorder
Johannes Schuyler
Johannes Cuyler
Jan Vinnagen
Albt Rijkman
Wessel ten Brook
Ryer Shermerhorn
Jan Caspersé.
Jan Thise
Keliaen van Renslaer.
John Groenendyke Sheriffe
} Justices of the peace Esqrs

The Mayor Hendr Hanse Esqr: Jan Janse Bleeker Recordr and Ryer Shermerhorn Esqrs desired the Justices of the City and County of Albany to be conven'd in the court house in Ordr to examine Hendr the Christian Maquase Indian about a certain writing which was made at the house of Dom: Dellius the 8 inst: when the said Mr Dellius went away which has occasioned great disturbance among the inhabitants the sd writing was given to Dom: Dellius signed by four Justices a copy whereof Captn Johannes Schuyler one of the said Justices has delivered to the Mayor and is as follws being translated from the Dutch.

The underwritten is that which Hendr the Indian spoke to Dom: Dellius in our presence.

SAYING: Father Dôm: Dellius wee are greiv'd to see you go away, we have not done it, it is done by others who have led us as by a cord, we were alwayes resolved to be true to our father as wee have shown in the warr. Father, forgive us the evill wee have committed against you.

Whereupon Mr Dellius did immediately forgive them. Albany 8th June 1699.

Interpreted by:

Jan Baptist van Eps who was sworn, Hilletie the other interpreter was present and Captn John Bleeker who understood the Indian language, and several of the inhabitants as alsoe of the Maquase Sachims and other Indians—

The said Hendr the Indian was asked

Q: Was you at Mr Dellius's house the day before yesterday?
Ans: Yes.
Q: Was you sent for or did you go of your own accord?
A: I was sent for five times.
Q: Who fetch'd you?
A: Gideon's wife came the first time.
Q: Who came the second time?
A: My Mother in Law
Q: Who came for you the third time?
A: Gideon's Wife
Q: Who came the fourth time?
A: Some Indian women of our nation
Q: Who came for you the fifth or last time?

A: Gideon the Maquase Christian Indian.
Q: In whose name did they come?
A: The messengers that came said that Hille the Interpretesse told that we should come to Mr Dellius's house whereupon Rebeccah a Christian Maquase woman said that Hille had not said so, but that she had said it.

Then the paper was produced which was signed by the Justices and the said Hendr was asked sentence after sentence if he had said so the day before yesterday. vizt
Q: Did you say to Mr Dellius, father Dellius wee are greiv'd to see that you goe away?
A: Yes.
Q: did you say wee have not done it, it is done by others?
A: Yes.
Q: did you say wee have been led as with a cord?
A: No, I said no such thing.
Q: did you say, wee were alwayes resolved to be true to our father as wee have shown in the warr?
A: Yes.
Q: did you say, father forgive us the evill wee have committed against you?
A: I never said so.
Q: Did Dom: Dellius forgive you?
A: I did not ask for forgivenesse.

The said Hendrick said further—that Hille the interpretesse bid him tell the Dome Mr Dellius that he wished that he might returne to them speedily—

The said Hille the interpretesse said further, those persons that led you with a cord or line are the cause of Mr Dellius's departure.

The Maquase Indians that were there were asked, if they had not heard Hendr the Indian say that he had been drawn as with a cord—The Indians answered no they never heard him say any such thing—

Sinnonquiresse the Maquase Sachim being ask'd the same question: answered no, he never heard Hendr say so but that Hille the Interpretesse had taken the word out of his mouth and said it.

Q: What was the meaning of your Hendr giveing Dôm: Dellius your hand, was not you forgiven then by him?
A: When Mr Dellius gave me his hand he forgave me but I said nothing.—

Hendrick the Indian being desired to relate what discourse he had at Mr Dellius's house on the 8th inst: when the said Dellius was going away.

Said: That he came there with two other indians and sat in the kitchin drinking some beer, then Mr Dellius came to them with Hille the interpretesse, who asked them if it did not greive them the Dominies going away he answered Yes, it did greive him—Then Hille the Interpretesse said whose fault is it that Mr Dellius goes away. Joseph the Indian would have answered but Hille took the word out of his mouth saying, those base people that stir you up and draw you with a line are the cause of it—The said Hille said further to Henry the Indian tell the Dome Mr. Dellius that it is their fault that he goes away that have incited you against him—She said further: Speak now, Mr Dellius is goeing over sea, speak hard talk your best that he may returne again to us in the spring for you are praying Indians—Henry reply'd I am alone what can I do if wee were altogether then wee could speak but now we can say

nothing—Then Mr Dellius asked said Henry—doe you love me?—Hendr Answered yes, I ever lou'd you since wee have been praying Indians, and did never think, that we should have disturb'd your mind, we have observed and minded our praying well and have fought well for the Country in the late warr—Then Mr Dellius stood up and shaked hands with Henry and said I have long expected you and forgave you the evill you have done me; Henry replyed I expected you would have sent for me because you are the greater man, but you alwayes sent for others, not for me—Mr Dellius told him it is more proper that the youngest should come to the eldest, I expected you to come without sending for—

Q: Who was with you Henry when this discourse happened?

A: Sinnonquiresse the Maquasse Sachim, Gideon and Joseph the indians and many Christians

Q: Out of whose mouth was this discourse, from the Dome or the Interpretesse?

A: 'tis all out of the mouth of the interpretesse.

Gideon was asked if he was present at this discourse, who answer'd, he came at the latter end of it.—Joseph the Christian Indian being ask'd the same question, says, that he heard all this discourse between Mr Dellius and Hendr the Indian as well as he now hears it repeated.—Rebeccah the Macquase Christian woman, being examin'd if she was present at this discourse, answd that she was present at the last part of it when Mr Dellius was just going away, when they had done with their discourse.

Examination of Gideon another Maquase Christian Indian.

What was done the morning Mr Dellius went away when you and some of the brethern were sent for to Mr Dellius's house?

Gideon answd that he was not sent for this morning but that Hille the interpretesse told him at Schenectade that Mr Dellius was going away, and why he did not goe and take his leave of him—whereupon Gideon said with what shall I speak I have caught nothing I can lay down, no present when I speak according to our custome.—Whereupon Hille said come here is a bever skin, take that I give it you, and goe and speak with that to Mr Dellius your minister before he goes away, goe and greet him with that

Gideon arriveing here at Albany went with another Indian to Mr Dellius's house with the beaver and left it there, and afterwards he went with five or six more, and said: father why do you depart? Mr Dellius answd My brethren that live here bring many wicked newes into my house, that is the cause of my goeing away—Gideon asked Mr Dellius if he went to New York Mr Dellius answered that he went over the great sea—Then said Hille the Interpretesse—All people in the town norn and cry for Mr Dellius and you must doe the same—Then Gideon took the beaver and said to Mr Dellius. I am greived to my soul that you goe away: how shall it bee when you arrive over the great sea; and hear what you goe for thither, will you come againe when this evill is over that is now done to you—Mr Dellius said he would not forget them—Hille the Interpretresse acknowledges that she gave the said Indian the Beaver to greet Mr Dellius withall who was goeing away, and withall she desired that he should take Captn John Bleeker, Everet Wendel Junr Abr Schuyler or any that understood the language to be interpreters between the Indians and Mr Delius the Minister.—

(signed) Robert Livingstone
Secrt for the Indian affairs—

Representation to the Lords Justices from the Lords of Trade.

[New-York Entries, B. 316.]

To their Excellencies the Lords Justices.

May it please your Excellencies.

Representation relating to Illegal Trade between New Yorke & Madagascar & to the arrival of Pirates in Pennsylvania & West New Jersey.

Having humbly laid before their Excellencies the Lords Justices a Representation dated the 19th of October last relating to the general state of the Province of New Yorke at the Earl of Bellomont's entrance upon that Government in which amongst other things we mentioned how the Earl of Bellomont upon suspicion that four ships fitted out from New Yorke for Madagascar in the month of June 1698 were designed for a trade with the pirates in those parts, had proposed to the Council there that for prevention thereof good security might be taken before their departure, but the Council did not think fitt to comply therewith, and so the said ships were permitted to proceed on their voyage; We humbly beg leave to lay before your Excellencies some informations of the like nature that we have lately received, and which appear in great measure to be the direct consequences of the fore mentioned voyage.

Mr Bass who at present acts as Governor of East and West New Jersey, by a letter dated at Burlington in West New Jersey the 9th of June last, informs us that one Giles Shelly Master of a Ship called the Nassau, which had been fitted out from New Yorke for Madagascar, did arrive not long before at Cape May in the entrance of Delaware Bay on the Jersey side, where he had landed fourteen men who had been upon piratical voyages in the East Indies, and put some others on board a New York sloop, commanded by one Andrew Graverard, to be landed and dispersed in other places as they found opportunity. Upon notice of which he the said Bass pursued those men that had been landed as aforesaid, and seized six of them (with their effects) who confessed to him that they had been on the coast of India and taken several prizes there; and the said Bass having also intercepted a letter from the forementioned Shelly directed to Mr Delancy a merchant in New Yorke (concerned principally as appears by the said letter in Shelly's cargo) he sends us a copy thereof; which we have hereunto annexed, and thereupon humbly crave leave to observe:—

That the foresaid Shelly is one of the four forementioned ships fitted out from New Yorke in June 1698. and that his cargo outwards according to an extract of the Book of Entries there transmitted to us by the Earl of Bellomont (whereof we have likewise hereunto annexed a copy) seems to be but of very small and inconsiderable value; but the returns mentioned in the said letter and especially the freight for twenty nine men (which seem to be the number brought by him to America, after the landing of forty six others in India) viz^{t} 12000 pieces of Eight, and 3000 Lion dollars for their passage, are exceeding great, and must needes be computed in the whole to be of many thousand pounds. Which evidently proves the nature of that trade in which such exorbitant advantages are made.

That Captain Burgess named in the said letter is another of the four forementioned ships.

That Mr Stephen Delancy to whom the said letter is directed, is one of the merchants concerned in the ship Fortune, Cap^{t} Tho^{s} Moston Commander, mentioned in our foresaid Representation, as seized by the Earl of Bellomont with great difficulty, for the like illegal trade after that the greatest part of her cargo had been privately convey'd away, and so appears to be a person used to those practices.

Colonel Quary, Judge of the Admiralty Court in Pennsylvania by his letters dated the first and sixth of June last, has also informed us:—

That the foresaid ship was arrived in Delaware Bay (on the West side of which lyes Pennsylvania as the Jerseys ly on the East of it) and had landed twenty pirates in Pennsylvania, where the people were so kind to them and so helpfull in conveying them from place to place, that he had been able to find out onely two; and that having given notice of those two to Colonel Markham Lieutenant Governor of that Province, who thereupon ordered the Constables to assist him, he had seized them, and lodged them in the Goal; but that having further proposed to Colonel Markham to press one of the vessells then lying before the town, and offered that if he would give him forty men to his assistance, he would undertake to seize upon the said ship with all the rest of the pirates that might be then on board her, he could not prevail with Colonel Markham to do it. Whereupon he further reflects upon the ill state of that Province, which consisting of above 7000 men capable to bear arms, there is no Militia settled in it, nor any other means established for the defence of his Majesty's subjects, let the occasion be never so great.

That Captain Kid was also arrived in that Bay in a sloop with about forty men having with him a vast treasure, and had sent his boat on shore to the Horekills, where he was supplied with what he wanted, and from whence his[1] people frequently went on board him.

And in the end he adds; that the two pirates whom he had seized there were permitted to confine themselves to a tavern, and that he had heard that Shelly having landed and secured all his goods & money had run his ship on shore near New York, after which the merchants concerned went to the Governor and informed against their said ship.

He likewise informs us that an Act has lately been past in Pennsylvania against privateers and pirates, in pursuace of a letter which by his Majesty's order wee writt to M^r^ Penn as to other Proprietors and Governors of His Majesty's Plantations in America, dated the 24^th^ of March $169\frac{7}{8}$. That an Act might be past there to the like effect as one past in Jamaica; and having thereupon sent us some observations to shew us the insufficiency of the said act to the ends proposed, we have also hereunto annexed a copy thereof.

This being a summary of the informations we have lately received, We humbly crave leave thereupon to represent unto your Excellencys our opinion:—

That for the better discouragement of illegal trade and piracy in the Province of New Yorke (amongst the inhabitants of which Province those mischievous practices have taken so deep root) and for the support of the Earl of Bellomont in that work which he has so vigorously begun, your Excellencies would be pleased to give directions to his Lordship that he continue to use his utmost endeavours to seize all goods imported contrary to the acts of trade, as likewise all persons that may be justly suspected of piracy either as principalls or abettors, and to punish them with the utmost severity of law.

And whereas by Colonel Quary's forementioned advice there seems to be little ground of depending upon the safe custody of the pirates seized in Pennsylvania, nor any expectation that a condign punishment will be inflicted on them by the forementioned Act, and as wee are also informed by the [said] Colonel Quary that there is no act in force in West New Jersey by which those seized in that Province can be tryed and punished there; We humbly offer unto your Excellencies that all the pirates which have been seized or may be seized in Pennsylvania and West New Jersey be sent hither, together with the evidences upon which they have been

[1] "*the* people" — are the words in the document in *New-York Colonial Manuscripts*, XLIII.

seized and which may be of any use for their conviction here, that so they may be tryed and punished according to law.

And whereas by Colonel Quary's foresaid letters as by some others formerly, there appears to be great want of a settled militia in Pennsylvania (as is established in other His Majesty's Provinces in America) for the defence & security of the same and of his Majesty's subjects residing there: We humbly propose that (besides what we have already offered to your Excellencies by our Representations dated the 4th instant) directions may be also given to Mr Penn to take care in that matter upon his arrivall there, according to the powers conferr'd upon him by his patent.

All which nevertheless is most humbly submitted.

signed Ph: Meadows
Jn° Pollexfen.
Jn° Locke.
Abr Hill.

Whitehall
Augst the 10th 1699

Lords of Trade to the Earl of Bellomont.

[New-York Entries, B. 322.]

To the Right Honourable the Earl of Bellomont Captain Generall and Governour in Chief of His Majesty's Provinces of the Massachusetts Bay, New York and New Hampshire in America, and of the Territories thereupon depending &c. Or to the Commander in Chief of His Majesty's Province of New Yorke, for the time being.

My Lord.

In our letter to your Lordship of the 5th of January last we acknowledged the receipt of your several letters that were then come to our hands, the last whereof was dated the 12th of the foregoing November. We have since then received two other letters from your Lordship, the one dated the 14th of December, the other the 29th of May last: and we have also writ two other letters to your Lordship, one dated the 2d of February, and the other the 26th of June last, the first of which you acknowledge the receipt of in your foresaid letter of the 29th of May: the last was a circular letter upon several heads as to the Governors of His Majesty's other Plantations. And having sent duplicates of those and all our former letters by different conveyances, we doubt not but all have come safe to your hands: but yet we are a little surprized that we have no account from you of the receipt of any of them but that of the 2d of February aforementioned; onely as you tell us in your foresaid letter of the 29th of May from Boston (where we are glad to understand your safe arrival) that you had begun to write us several letters from New York but not finished them, we expect an account of the receipt of all our letters by that packet, when ever it may arrive, and therefore shall not now repeat what we have said before.

However in looking back upon all the letters we have received from your Lordship since your first arrival at New Yorke, We observe several things in which, tho' we have done what seem'd necessary or proper for us, yet we have not acquainted you particularly with our

proceedings about them. Wherefore that we may now do it fully we have thought that the shortest way and most to your Lordship's satisfaction will be by sending you the copies of what we represented to His Majesty or the Lords Justices upon those subjects; for you will thereby at once perceive what use we have made of all the informations you have given us. And we shall add such further answers as now seem necessary.

In the first place we therefore send you here inclosed the copy of our Representation of the 19th of October last relating to the general state of the Province of New York (marked A) and if their Excellencies the Lords Justices two orders in Council there upon dated the 25th of the same month (marked B.) Whereby you will perceive the rise and ground of those direction which you say you have received from their Excellencies dated the 10th of November last, and which we do not doubt to be those whereof we had prepared a draught a few days before, in pursuance of the first of their forementioned orders.

The next inclosed paper is a copy of our Representation of the 27th of October last in pursuance of the same order, relating to the Fortifications & Forces of New Yorke; together with a copy of their Excellencys further order thereupon, dated the 3d of November last (both marked C.) But you will thereby observe that there was no order made upon that part of our said Representation which related to the Forces. Nevertheless we desisted not from our endeavours to obtain what we thought necessary, and particularly upon a Memorial offered to us by Mr Weaver, relating to the recruiting and pay of those Forces, we inclosed the same in a letter to Mr Secretary Vernon the 24th of February last, to be laid before his Majesty, with our opinion that without 250 or 300 recruits, and due care for the pay of the Forces that Province would be exposed to such attempts as might prove very prejudicial. But to this we received no answer till the 2d May following that Mr Secretary advised us *that His Majesty having taken into consideration the condition of the four Companys at New Yorke (that they are reduced to about half their established number) and there being no provision made for recruiting them to their full complement of* 100 *men each, His Majesty had thought fit to establish them at* 200 *men, viz*t *the said Four Companys to consist of* 50 *men each.* So that we have not been able to do more in that matter. And concerning the pay of the said Forces; we have not been wanting to give Mr Weaver such assistance in his sollicitations to the Lords of the Treasury upon that subject, as were proper for us; tho' we much doubt the success (of which he will give you a more perfect account) has been but small.

You will observe by the second of their Excellencys forementioned orders dated the 25th of October last, that we were required to hear Colonel Fletcher upon the complaints against him: which we accordingly did. And having thereupon laid before his Majesty the 9th of March last a Representation of our proceedings therein, together with our opinion upon each head, we send you here inclosed a Copy thereof (marked D.) together with the copies of two orders of Councill made thereupon, dated the 16th of March last (marked E.) to which we refer ourselves, not having had any information of any further proceedings made therein.

The merchants of this city who we told you in our letter of the 2d of February last had complained of their uneasyness under the changes which your Lordship had made in the government of New Yorke, did not rest there; but continued the like complaints at several times; and upon the 10th of March they laid before us a memorial, whereof the copy is here inclosed (marked F) Upon which nevertheless we did not make any order at all, and now sent it onely for your information.

Having been made sensible of the great irregularities in the government of Rhode Island not onely by some of your Lordship's letters but many other ways; We presented unto His Majesty a Representation upon that subject the 21st of December last (whereof the inclosed copy is marked G.) upon which his Majesty was pleased by order in Council of the 5th of January last (whereof the inclosed copy is marked H.) to direct us to prepare draughts of the things that we proposed to be done. And we thereupon accordingly laid before his Majesty the draughts of a commission and instructions to your Lordship to inquire into the misdemeanors of that government, which we doubt not have been sent, and that you long since have received them, and that enquiry into the misdemeanors of that government being in this manner committed to your Lordship's care, we send you here inclosed a letter that we writ them the 11th of this month desiring you will cause it to be transmitted unto them. And we send you also a copy of the said letter (marked I.) that your Lordship by observing the contents of it may the more effectually press them to their duty.

We told you in our letter of the 5th of January last, that what you had writ relating to the French claim to the Soveraignity over our Five Nations of Indians and what Mr Stoughton had writ us about their incroachments upon the territories of New England, and their pretence to the sole right of fishing upon the Banks in the high sea upon that coast, had been laid before his Majesty. Unto which all that we can now add further is, that we have since made several memorials upon all those subjects for the use of the Commissioners appointed by his Majesty to treat about those matters with the French Commissioners who were here the last winter. Which was all we could do therein; and we hope care has been taken or will be taken accordingly. But however, till all those matters be finally determined, we desire your Lordship to have still your eye upon the practices of the French in those parts and to give us further information from time to time of whatsoever you judge proper to be observed thereupon.

We told you in our letter of the 5th of January last the reason of our suspending awhile any further report about the Proprietors of East New Jersey's pretended right to a port at Perth Amboy; and shall now explain to you a little more fully how that matter stands. The Proprietors of that Province thinking it seems they might have some advantage by complaining of your Lordship's seizure of the Ship Hester, petitioned his Majesty upon that subject, which petition of their being read in Council of the 9th of March last was by his Majesty referred unto our consideration; and we therefore send you here inclosed a copy of it with the Order of Council thereupon (marked K.) Whilst we had that matter under consideration, those Proprietors laid before us also other memorials in which they offered some conditions, in order to compromise the dispute; but such as we did no ways think it for his Majesty's service to accept of. And therefore upon the 18th of April last we laid before his Majesty another Representation upon that subject (whereof the inclosed copy is marked L.) By that you will perceive the use we made of their proposal of a tryal about the Port of Perth Amboy, by bringing their right of government in to the same question; a matter in which they are very tender, as being sensible of the weakness of their title. And we therefore thought it best to joyn both together. Hereupon after long delays and after having in vain indeavoured in the name of the Proprietors of West New Jeysey (who are for the most part the same persons) to draw us into a snare by desiring our opinions for the approbation of Mr Hamilton to be Governor of West New Jersey, that so our allowance of the one, might have been an argument for the other because their title to both is one and the same; they have in the end laid

before us certain proposalls for the surrender of East New Jersey upon certain conditions. But we have not yet thorowly considered the same. However there appearing to us several obvious exceptions against what they propose, and great difficulties in settling the matter to their satisfaction and without prejudice to his Majesty's right and to the interest of the Province of New Yorke; we are apt to think that business may hang yet some time longer in suspence. And therefore we send you here inclosed the copy of their said Proposals (marked M.) and desire your observations thereupon, how far any of them will be advantageous or disadvantageous to the Province of New Yorke. But in the mean while we can offer to your Lordship no other rule for your conduct towards those Provinces both of East and West New Jersey than what his Majesty has already given you.

In your letter of the first of July 1698. beginning with the disputes you had with M^r^ Bass about the Jerseys, you mention two pirates sent for from thence, which for want of proof against them you had admitted to bail; and two others that you had sent for from Connecticut and Rode Island; upon which you desire directions what to doe with them, and more particularly whether to send them or others in the like case to England or no, especially when you have not evidence there sufficient to convict them. This we have in part answered already by our letter of the 25^th^ of October last, and we now further add that we can conceive nothing more proper to be done in order to their conviction, than by threats and promises to some that are apparently guilty, to induce them to give evidence against their accomplices. But as for sending or not sending them home (upon which we can not of ourselves make any determination) we expect shortly some order of the Lords Justices in Council upon a Representation that we laid before them the 10^th^ of this month on occasion of some pirates set on shoar in Pennsylvania and West New Jersey, by a New York ship called the Nassau, commanded by one Shelly; which business we hope will in the end produce some regulation for the conduct of all his Majesty's Governors in the Plantations in the like cases. And in the meanwhile we send your Lordship a copy of our said representation and of said Shelly's letter mentioned in it (marked N.) for your information in that matter.

In your letter of the 7^th^ of July 1698 to our Secretary, you desire to know whether the Act against Privateers and Pirates now in force at New Yorke be esteemed sufficient, or that you should endeavour to get another more conformable to the Jamaica Act; We should have been glad that you had informed us at the same time how the foresaid Act, now in force there, has been observed and with what effect, according as we desired you by the Queries inclosed in our letter of the 26th August 1697. But however, having now perused both the said Acts, we do not find the difference to be very great, and doe not understand but that this now in force there, may be very usefull. However if you finde any defects in it and can procure another to strengthen it, we think you will do well.

Your letter of the 28^th^ of June 1698. about M^r^ Livingston's case has been brought to us and we have read it some while ago; but as we have not lately been sollicited by any person about that matter we are apt to suppose it may have been finished there; so that there remains nothing needfull or expected from us about it, and therefore we let it rest.

The reduction of the forces at New Yorke afore mentioned takes away the reason which your Lordship offers us in your letters of the 21^st^ of September last (from the consideration of the charge you might be at in sending for recruits from hence) for representing that yourself and the other Captains may be paid for full Companies; because it is supposed that by the reduction of each Company to half the former number there will be men enow there without

sending for any such recruits from hence. And as for the deduction of the 30 p^r^ Cent. which you mention also in the same letter, we can add nothing to what we writt you the 12^th^ of November 1697 upon that subject; but that having several times since deliberated upon it, as a hardship that we wish might be remedied, we have not found any possibility of obtaining our desire therein. And concerning your complaint about the recalling of the two men of War from New Yorke, mentioned in the same letter, you will already have seen the effect of a Representation we laid before his Majesty upon that subject, by one article in our forementioned letter of the 26^th^ of June last, and therefore we need say no more about it.

We observe what you write also in the same letter about the factious disposition of the French and the sollicitation made by thirty three of them at one time to endenized; in which we can not but think your cautions rightly grounded. But not having any authority to offer you any rule upon that subject, because we do not understand that any resolution has been taken therein as we expected upon the Representation which we laid before their Excellencies relating to Arnold Nodin, and whereof we sent you a copy in our letter of the fift of January last; we must leave your conduct in that and other like occasions to your own prudence.

Your letter of the 7^th^ of November last being wholly about the Revenue of New Yorke, which we conceive to be a matter properly belonging to the Lords of the Treasury, we sent a copy of it to them for their consideration, but have not been made acquainted with any thing that they have don therein.

In your letter of the 12^th^ of November last you tell us of an extravagant charter granted by Colonell Fletcher to the town of West Chester. We have thereupon considered both his commission and instructions, in which we do not finde any power given him to grant any charter of that kinde. But if the said charter do by interpretation of, or consequence from any expression in it, contain a power of life and death (as your Lordship writes) tho' we do not finde it in positive and direct words, we cannot but think that power to be absolutely contrary to the article in his instructions (which is the same in yours) forbiding him *to erect any Court or Office of Judicature not before erected or established without his Majesty's especial order.* And therefore we desire your Lordship to consider the same and further to informe us what inconveniences have risen or are like to arrise from the said Charter, that further measures, if needfull, may be taken for the destroying of it.

As for the disorders in New Hampshire which you mention in your letter of the 14^th^ of December last, we are very sensible that they have been great, and that there have been faults on both sides, long before M^r^ Allen's arrival there; which may perhaps have given occasion to those that he has committed since. Wherefore before we can either represent any thing further to his Majesty or the Lords Justices therein, or give you any further advice about them, we must expect your report upon what we writ you the 26^th^ of August 1697. in pursuance of their Excellencies Order in Council of the 29^th^ July foregoing. Which Report now that you are got into the neighbourhood of that Country we hope you will be able to make in some short time.

As for what you make the subject of a particular letter dated the 15^th^ of December last and again mention in yours of the 29^th^ of May last, relating to the want of an able Judge, and some other learned lawyers in the Province of New Yorke; We have taken the method that you proposed in the first of those letters; but do not know what it will produce. In the mean while however, as the evident obstacle against sending over such persons from hence dos lye in the want of sufficient incouragements for them; we offer to you our thoughts, that the surest way to obtain what you desire will be by proposing what incouragements may be depended upon there for such persons.

We are very glad to understand the success you have had in pursuance of the Lords Justices order of the 10th November last in vacating some of the extravagant grants of land made by Colonel Fletcher, and hope you will have the like success in your indeavours to vacate the rest of them, according to the intentions you express in your foresaid letter of the 29th of May last

What you hint at also in the same letter about Naval Stores from New Yorke is very acceptable news to us, and we long for the arrival of that letter which you say treats wholly upon that subject

In your letter of the 14th December last you send us a copy of your circular letter to the Justices of the Peace about administring the Oaths &c Upon this we would onely observe to you that the first words thereof being *His Majesty's Council and myself have thought it proper &c°;* we think you would do better upon any future occasion to use the stile that, *You with the advice of his Majesty's Council &c° have &c°*

We send you here inclosed a copy of a Representation which we laid before their Excellencies the Lords Justices the 13th of July last relating to stores of war for the Province of New Yorke, with a copy of their Excellencies order thereupon (marked O.) but what has been done upon that order we have not been informed, so must refer you to what advice Mr Weaver may be able to give you about it.

We shall be glad to hear, now that you are in New England, whether you can there procure, or propound unto us any proper methods whereby we may procure, some part of the stock of the Corporation for Evangelizing Indians to be imployed towards the instruction of the Five Nations in the neighbourhood of New Yorke, according to what we writ you the 5th of January last, upon your own proposal of the 1st July foregoing. And however, in the mean while, we desire you to inform yourself and let us know how that stock is imployed.

We desire you to send us a list of the present Council of New Yorke, as it is now constituted, together with a list of names of persons to fill up vacancies, and their characters, according to your instructions, if you have not already don it in those letters relating to the affairs of New Yorke which you say you were preparing for us. We are, My Lord

Your Lordships most humble servants

signed Ph: Meadows
Jn° Pollexfen
Jn° Locke
Ab^r Hill.

Whitehall
August the 21st 1699

Earl of Bellomont to the Lords of Trade.

[New-York Entries, C. 1.]

To the Right Honourable the Lords Commissioners of Trade and Plantations.

My Lords.

I find my removall from New Yorke is not to exempt me from giving your Lordships accounts of the Affaires of that Province, My Lieutenant Governour there choosing to rely on me for

that performance, rather than undertake it himself, which is pleasing enough to me, for by that means I shall have the better inspection into his management, and your Lordships will not be the worse informed of things.

I formerly writ your Lordships word that during the last Session of Assembly at New York, I with the Council had reversed a Judgment given by Colonel Fletcher and the Council against Widdow Wandall in favour of one Alsop. We did it upon a full hearing of Council on both sides, it appearing to us that widdow Wandall was wrongfully ejected out of the possession of the estate left her by her husband Thomas Wandall, which estate was considerable. That your Lordships may be fully apprized of this matter against the merits of the cause comes to be heard before the King and Council in England (for I hear Alsop intends to bring it thither by an appeal) I beg leave to trouble you with some papers which will inform you of the state of the case exactly. I send a copy of Thomas Wandalls Will which goes (N° 1) whereby he devises the greatest part of his estate to his wife. The Testimony of Theophilus Phillips who drew the said will, and gave the said Testimony on his Death bedd, which is certified by two credible witnesses, and goes (N° 2) The Deposition of Jonathan Hazard (N° 3) of Benjamin Severus (N° 4) of John Lawrence (N° 5) of Thomas Codrington (N° 6.) of John Lowerson (N° 7) of John Lowerson to another point (N° 8) of Susana Elliot (N° 9) all or most of these Deponents are persons of Estates and figure in that Country, which was one inducement to the Council and to me to give credit to their Evidences. While I stay'd at Yorke, neither Alsop nor his council sued for an Appeal to England: but it seems they have lately done it to my Lieutenant Governor and the Council as I heare: and I know not by what infatuation the Lieutenant Governour and Council have refused it to them, which indeed was a very wrong step; but I hope your Lordships will excuse my Lieutenant Governour who was as I understand misled in that matter by his Majesty's Council. One would think that M^{r} Graham (who now sits at the Board as a Member of His Majesty's Council, and is besides His Majesty's only sworn Council at Law in that Province) should have known and advised better. And he I hear was present in Council when the appeal was refused to Alsop and advised the refusing it, upon this foolish notion, that the Judgement given by Colonel Fletcher being reversed by me and the Council during the Session of Assembly, we were then a Court of Judicature and our Jurisdiction superior to that of the Governour and Council at other times. The refusall of an Appeal to his Majesty & Council in any case where the value appealed for is £300 or upwards as the Kings Letters Patents direct seems to me the thing in the world most derogatory to the prerogative of the Crown in these Plantations, and may prove of ill consequence should it be practised. But so long as I am entrusted with these Provinces by the Grace of God there shall be as little done to hurt the Dependance they have and ought to have on the Crown, as 'tis possible. I have writ to rebuke my Lieutenant Governour for that slip, and to give Alsop immediate notice he shall have Liberty to bring his Appeal. One circumstance more I shall presume to trouble your Lordships with about M^{rs} Wandall, to let you see how unruly and lawless people are in that Province, and what necessity there is that the publick Justice be settled on a better foot. Widdow Wandall was restored to the possession of her husband's estate by a writ of possession (as I think M^{r} Graham call'd it) soon after the Council and I reversed the Judgment given by Colonel Fletcher; but about a month ago, Alsop brings above thirty men in the night upon her ground and cut and carried away eight acres of corn.

Piracy does and will prevail in the Province of New Yorke in spite of all my endeavours unless three things be done out of hand, viz^{t}. good Judges and an honest and able Attorney

General from England, a man of War commanded by an honest stout Captain, and pay and recruits for the four companies. Captain Giles Shelly who came lately from Madagascar with 50 or 60 Pirates has so flushed them at New Yorke with Arabian Gold and East India goods, that they set the government at defiance. My Lieutenant Governor is under great discouragement, he would punish Shelly if he could, but he has not a man to advise with; those that are honest are not capable and those that are capable and whose duty it is are false and corrupt. When any seizures are made, and that they are brought to tryall, the King is sure to be cast, the informations being always lame, as M^r^ Aungerford[1] the Collector, and M^r^ Parmiter the Naval Officer have often complained to me: so that every thing is wrong for want of honesty (chiefly) in the Officers of Justice. And your Lordships orders to me to trouble and prosecute Pirates and suppress unlawfull Trade can never be complied with, if you will not afford me the means. Had there been a man of War at Yorke, Shelly and his Pirates in all Probability had been taken and £50000 in money belonging to them: And for want of a Man of War I could not attempt any thing against a great ship that hovered off this coast 5 or 6 days together about the time I secured Captain Kidd, supposed to be one Maze a pirate, who is said to have brought £300,000 from the Red Sea, and who 'tis believed here would have come into this place could he have hoped to make his terms; but hearing how it fared with Kidd, he bore away, and 'tis said he is gone to Providence. I have had a letter from Colonel Markham Governour of Pensylvania wherein he writes that he has two of Kidd's men in Goal and desires to know what he shall doe with them. I have writ to him to keep 'em in Goal till he receives orders from the King how to dispose of them. I hear he has seized a good deale of mony with them but says not a word of that. M^r^ Basse the Governour of the Jerseys has also got some pirates with a good store of money at Burlington in West Jersey. I heare they were of Kidd's men too, the same thing I heare has happen'd to the Governour of Maryland. I mean his seizing Pirates and their money. All these were brought from Madagascar by Shelly, and were a good many of them Kidd's men that forsook him, and went on board the Mocha Frigate. If it be intended those men and their money shall be secured in the same manner Kidd and his men that came hither were and their effects. Then it will be proper that orders be sent accordingly. Otherwise the forenamed Governours will keep the money and the Pirates escape. That your Lordships may understand more of Shelly I send the deposition of Edward Buckmaster (N° 10) he is now a prisoner at Yorke, went out with Kidd revolted from him to the Mocha Frigat, and came with Shelly from Madagascar; also the Deposition of Otto Van Toyle an old Pirate (N° 11) which is neither signed by him nor the clerk of the Council tho' writ by the Clerk. Then there goes my Lieutenant Governor's letter of the 5^th^ of June about Shelley (N° 12) M^r^ Basse Governor of the Jerseys letter to my Lieutenant Governor about Shelly (N° 13) and the Minute of Councill at New Yorke the said 5^th^ of June (No 14) Upon the first news of Shelly's arrival at York and bringing so many Pirates with him I advised with one M^r^ Newton a Lawyer (and reputed the best that's in the Country) how I might lawfully proceed against Shelly and his ships crew, and he was positive that by the Statute of the 28^th^ of Hen: 8^th^, Shelly and his men might be committed to prison without Bail or mainprise; and so I ordered my Lieutenant Governour to commit 'em. Upon the receipt of my orders he called a Councill, M^r^ Graham one of them being present; he writes me word that in the morning M^r^ Graham was positive that by law Shelley and his men ought to be committed without bail or mainprise, but the Councill meeting again in the afternoon M^r^ Graham had quite changed his opinion and influenc'd the Council to be against committing Shelly &^c^; as your Lordships will see by the minute of the 5^th^ of July

[1] Qu? Hungerford.

which goes (N° 15) so that Shelly is upon bail only, and his ships Crew untouchd. My Lieutenant Governour makes a scurvy reflection in his letter of what he supposes might have been a prevailing argument with M^r^ Graham, to have been M^r^ Graham in the afternoon, against M^r^ Graham in the morning. These Accounts I think proper to send your Lordships that you may be made sensible of the disorder and confusion that Government is in for want of an upright administration of the Laws, whereby your orders how strict soever against Piracy and unlawfull Trade can never be comply'd with. And the neglect of sending a Man of War all this while to New Yorke, a place so notorious for piracy and unlawfull Trade, and the ill usage of the four Companies in neither paying or recruiting them, being added to the want of honest Officers and Ministers of Justice make Government and Governours contemptible in the Eyes of the people: And my Lieutenant Governor and I are almost quite heartlesse.

We have had News here by three severall Posts from Philadelphia and New York of a fight between the Essex prize a frigat of 16 guns and 70 men, and a Pirate ship of 26 guns and about 150 men supposed to be Hynde of New Yorke, the pirate I formerly mentioned to your Lordships. The pirate was too strong for His Majesty's frigat the fight lasted four hours, and the frigat having lost 40 men was forced to bear away.

We have had two or three ships belonging to this place robb'd off Newfoundland by a pirate ship of good force, and that within these 5 or 6 weeks; they told these ships they robb'd, that they designed for the Red Sea.

If I had a 4^th^ rate ship here at Boston and a 5^th^ rate at New Yorke, I would undertake to secure all the Coast from Pescataqua to the Southermost point of Carolina from Pirates, especially if the Captains were honest fighting fellows, for I would keep them constantly cruizing all the Season of the year that ships can live on this Coast. I propose a 4^th^ rate for one, because I know a ship of that figure would terrify the Pirates exceedingly and many of the Pirate Ships are a match for a 5^th^ rate frigat.

I desire to be directed by your Lordships whether I may not lawfully require bonds of all the ships that go from hence and New Yorke on trading voyages, that they shall not goe to Madagascar nor elsewhere, where pirates frequent. I know 'tis a thing sometimes practised to take the Governors passe for one port or place and sail to another. And that trick was served me last summer at New Yorke by Baldridge and Taylor who fitted out a Briganteen, and took my passe for Antegoa, but I was told their designe was for Madagascar or Guinea; when the briganteen was at Sea, whether with or without the privity of the forementioned Owners I cannot tell, she turn'd pirate and went to Newfoundland and robb'd ships.

Now that I have had occasion to mention Baldridge, I will acquaint your Lordships with a particularity told me of him by Kidd, when I first examined him in Council, because you had directed in your Letter of the 25^th^ of last October or 5^th^ of last January, that I should inquire after some pirates kill'd in S^t^ Maries near Madagascar. I question'd Kidd about it, and he told me Baldridge was the occasion of that Insurrection of the Natives and the death of the pirates, for that having inveigled a great number of the natives of S^t^ Maries, men, women and children on board a ship or ships he carryed and sold them for slaves to a French Island called Mascarine or Mascaron, which treachery of Baldridges the Natives on the Island revenged on those pirates by cutting their throats.

I did intend to winter at New Yorke for I have little to doe here at Boston; and I have done all the service I was able in New Hampshire, but I am so discouraged from going thither to be affronted and have the King's authority trampled upon, that after my returne from Rhode

Island, whither I am going ten days hence, to execute the King's Commission sent me by Mr Secretary Vernon, I intend to return and stay here till I receive your Lordships Orders and see whether I shall be enabled to serve the King as I would in these Provinces: And whether the Design of Naval Stores proposed by me from New Yorke will meet with your Lordships Approbation and Incouragement.

Because I find myself unable for the above reasons to do any good at New Yorke I have writ to my Lieutenant Governor to prorogue the Assembly (which was to have met on the 20th of this next month) to the 10th of next Aprill.

The Naval Officer at New York writes to me that the Revenue Acts drawn and pass'd this last Session are so very lame and insufficient that the Merchants take advantage, and import goods that are contreband and by that means and the corruption of the Officers the Revenue dwindles very much.

I formerly intimated to your Lordships in my letter of the 17th of last Aprill, that if you approved of my scheme for furnishing Naval Stores to the King and Kingdom, I would afterwards propose a method for incouraging the Soldiers to continue in the King's service, and not desert as they now doe every day, and also for incouraging them to worke which they are very unapt to do. By which intimation I meant that the lands granted to Mr Dellius and some of the other lands granted by Colonel Fletcher (which were vacated by act of Assembly the last Session) should be distributed among the Officers and soldiers in the following manner and proportion, Each private Centinell after seven years service in the King's pay, to have forty acres of land to him and his heires as a reward of his service, and liberty to quit the service if he shall choose so to do, reserving to the Crown a Quit rent at the rate of half a crown for every 100 acres, as the Lords Justices of England directed me in their letter of the 10th of last November. To every Corporal and Drummer 50 acres under the same conditions as before. To every Serjant 60 acres, To every Lieutenant 200 acres. And every Captain 400 acres. These lands to be unalienable by the soldiers to all persons except the King, for should they have the liberty to sell, They are generally so very idle and drunken, that they would part with their land for a gallon of rum, by this means the country will by degrees be peopled, and the frontier towards Canada strengthned. And had this method been practised twenty years ago, there had been this day a 1000 families on the land granted to Dellius, which would have been a force sufficient to make a stand against all the French of Canada and their Indians, had they a fort at the extream end of the land which was granted to Dellius, to cover them from sudden inroads of an enemy.

If your Lordships intend the rest of the extravagant grants of lands shall be broke (which I will be bold to say by all the rules of reason and justice ought to be done) I believe it must be done by Act of Parliament in England, for I am a little jealous I shall not have strength enough in the Assembly of New Yorke to breake them. The members of Assembly there are landed men, and when their own interest comes to be touch'd, 'tis more than probable they will flinch. I would have all such as have lands already (as well as those that are to have lands disposed to them hereafter) to pay a quit rent of half a crown English out of every 100 acres of land, unlesse they be under covenants already to pay the Crown a greater quit rent, as I understand some few are obliged to pay 4 shillings per 100 Acres, or a bushel of wheat, and that by one of the first Governors. Then I would have a clause in the Act that no man whatsoever in the whole Province should be allowed to hold above 1000 acres, which will mightily reduce our Palatines, Smith, Livingston, the Phillips's father and son and six or

seven more. And I undertake to make it appear highly reasonable this limitation of acres ought to be, or the country is ruined; Which I prove thus every acre of land costs in that Province £4. 10. to cleare it from the woods, at which rate a 1000 acres will cost £4500 in mony, and that sum is more than most of those Grantees are either able or willing to expend; so that 'tis plain those vast grants have proceeded as well from a sordid covetousness of the Grantees, as from the treachery and corruption of some certain Governors. Two of the things proposed in this paragraph viz^{t}. The laying a Quit Rent on all lands already granted and the reduction of the great grants to a 1000 acres will be a stumbling block in our Assembly at New Yorke; Therefore it is that I would gladly have an Act to passe in the Parliament of England to direct and prescribe these rules and methods. And in my humble opinion there is an equity for the Crown, that such rules should be established, for in the late Duke of York's time he gave a positive instruction that half a crown should be charged on every 100 acres of land, at the least; And I think I have heard there was a law amongst those that were called the Dukes laws directing it should be so. For another reason too it were best these regulations were settled by Act of Parliament in England, because the parties concern'd would more willingly submit to the authority of it than to that of an Act of Assembly of New Yorke.

The Parliament of England 'tis to be presum'd will quickly give into this design when they are rightly possessed that almost all the lands of that Province are granted away to about a dousen worthless persons, who can never hope to plant or people the country; And when too they find this designe will be conducive to the furnishing England with Naval Stores, And indeed without it, 'twould be in vain to go about to provide stores there, for as the lands in that Province are granted, the King has not the power to cut a tree for any use whatsoever. And if the Parliament of England will incourage the provision of Naval stores (which I cannot but think the most valuable and usefull thing in the world for the advantage of England) then there will be a necessity of giving the King the sole right of all the woods in the Province, reserving to the Inhabitants the liberty only of house-boot, fire-boot,[1] hedge-boot and plough-boot. Now that I am on this subject I must acquaint your Lordships of a barbarous custome in these Plantations, which if the provision of Naval Stores be incouraged at New Yorke must be forbid under a severe penalty. In the dry times of the year the people burn the woods to clear the land, and often where a man has a designe to clear but ten acres, the fire shall consume twenty times as much, for the Pine and Fir (which will be chiefly usefull for Naval Stores) burn like touch wood, and if the body of the tree escape from being burnt down, yet the barke never escapes, and so the Tree dyes. This I have observed in many places where the woods were burnt, and for this there should be a remedy in an Act of Parliament.

I have but one thing more to propose as necessary in case the extravagant Grants be broke and the present proprietors of them confin'd to 1000 acres, that they viz^{t} the Proprietors shall not be allowed to choose where those 1000 acres shall be set out to them, for that would spoile and defeat the whole design. As for example Fred. Phillips and his son and most of those grantees have their lands lying on Hudson's River, the River it is that makes the land valuable, and should they have the liberty of choosing where their 1000 acres shall be set out, they will take the lands that lye to the River and that which lies backward from the River will be worth no man's acceptance and will be wast as long as the world stands, and the crown and province will be much prejudiced thereby. Therefore I should humbly propose for the convenient and

[1] *Sic.* Qu.? house-*hout*, fire-*hout*—i. e., house *timber*; fire *wood*, &c.—Ed.

equall setting out those lands and all other lands in that Province that His Majesty would please either to appoint Commissioners from England for that Service, or that the Governor, Lieutenant Governor, Collector, Secretary and Surveyor Generall for the time being (the Surveyor Generall always to be one) or any three of them to be entrusted to do it. I have observed that some part of the land up Hudsons River is mountanous and of little or no value, therefore in my opinion it were proper to take the same course in the distribution of those lands, that was taken at the time the lands of Ireland were disposed of to the Adventurers and Soldiers (as may be seen by the Irish Act of Settlement) All the lands in that Kingdome were divided into two qualifications or denominations, viz^{t} profitable and unprofitable, The profitable charged with a quit-rent to the Crown, The unprofitable uncharged and free from quit-rent. These are all the things I can think of at present fit to be made Rules in an Act of Parliament for the distribution of the lands in the Province of New York which I submit to your Lordships' great wisdome.

I forgot in my former letters to acquaint your Lordships that the King had but one piece of ground in the City of New Yorke, whereon there was a Battery of Cannon and a strong Blockhouse which defended both the Town and River on the East Side, and that ground Colonel Fletcher granted away to the late knavish Sherriffe of New Yorke Ebenezer Wilson, and that in the very heat of the War. And Wilson sold it for £550 to persons that have since built on it, and 'tis said Fletcher had the greatest part of the mony. The £550 I should think ought to be brought as a charge against Fletcher in his account to the King, and in Justice Wilson ought not to escape alltogether neither, because he presumed to accept of a grant so circumstanced, which he could not but know was a Treachery to part with. As that Battery and Blockhouse have been described to me, they were a better security to that Town than the Fort is; for the Cannon lay level with the water and pointed horizontally, whereas all the guns in the Fort lye about forty foot above high water marke, and so are capable of little execution.

I have employed two men (one whereof is an able shipwright) to go and survey all the woods on Dellius's late grant, and elsewhere in the likely parts of that Province, and at their return I hope I shall be able to tell your Lordships that the King may be furnish'd with choice of Masts for his ships of War and at cheap rates.

I send your Lordships the Minute of Council of the 20th July which relates to the seizing some few bales of East India goods conveyed into Nassaw Island and Connecticut Government, from on board Kidd's sloop. Also the Lieutenant Governor and Council's convening four Justices of the Peace from Albany (friends of M^{r} Dellius) who had privately at M^{r} Dellius's house suborn'd two or three of the Maquaes Indians that are Christians to make a lying declaration in favour of M^{r} Dellius, an account of which declaration I gave your Lordships in my former letter of the 22th of last month. Then there is in the said minute the thanks of the Mohack or Maquaes Indians for our vacating M^{r} Dellius's grant of their land, which I particularly recommend to your Lordship's perusall; the said minute of Councill goes (N° 16).

The Collector of New York's list or booke of Entries of ships inward and outward at the Port of New Yorke goes (N° 17)

M^{r} Parmiter the Naval Officer's affidavit of M^{r} Clarkson the Secretary's striking him in the King's house within the Fort (N° 18) a thing complain'd of in my said letter to your Lordship's of the 22th of last month.

I send a copy of my Instructions to my Lieutenant Governor of New Yorke, which I drew up myself and left with him the day I set out for this place which instructions go (N° 19.)

Mr Livingston acquaints me that some French men from Canada, and some of our owne people bring great quantities of French Silks and other goods to Albany from Canada, which they convey to New Yorke. I can no more help or prevent that trade than I could hinder their sending severall horses and mares from Albany last winter to Canada, till justice be well settled in the Province people will be lawlesse and ungovernable.

I send all the papers containing the severall transactions that have been with our five Nations of Indians since those I last sent your Lordships. They are bundled up together, but not numbred, because there are so many of them; The last of them dated the 12th of last month contains an insinuation by a Canada Indian to our Indians of a correspondence between the Governour of Canada and me, and designe to ruin our Indians. The folly and villany of which I believe will meet with little credit with your Lordships. 'Tis so foolish an Artifice that I cannot think the Governour of Canada capable of being the Author of it. I rather suspect the Popish Missionaries.

Within this month there are two great ships come from Caledonia to New Yorke of 70 Guns each. That settlement is quite destroy'd, 700 of their people died before these came away of a contagious sickness. These two ships lost above 300 people in their voyage by that sickness; several other ships came out with them which they fear are lost in a Hurricane they met with at Sea, which mightily shatter'd these in their Masts and Rigging; The want of fresh provisions they assigne to be the cause of that sickness at Caledonia. The natives they say were very kind to them and promised to shew 'em some rich mines of Gold. They believe the French will goe and possess themselves of their Fort which they say will easily be made impregnable; We have advice from Nevis that the Scotch Recruits passed by that Island for Caledonia. I have ordered my Lieutenant Governor of New York to let these ships have no more provisions than will carry them to Scotland.

I am with respect
My Lords
Your Lordships most humble
and obedient Servant
Bellomont

Boston
August. 24th 1699.

Since my writing this letter I have received the Minute of Council from New Yorke, which mentions the Lieutenant Governour and Councill's refusing an Appeal to England, at the suit or request of Mr Anthill Councill for Alsop against Widdow Wandall. It bears date the 25th of last May and is (N° 20.)

By what I have discovered since my going to New Hampshire, I am almost perswaded a 1000 Soldiers (the number proposed in my letter of the 17th of last Aprill to be kept in pay in the Province of New Yorke) will make pitch and tar enough to serve the King's Navy and all England if 7 or 8000 Ton of those species yearly will suffice.

I sent Monsieur de Calliere the present Governor of Canada, The French King's letter directed to the Count de Frontenac (the late Governor that died) and inclosed to me by Mr Secretary Vernon. 'Tis near a Month since I received Monsieur de Calliere's letter in Answer to the letter I then writ to him, which answer of his goes (N° 21) wherein he acknowledges the receipt of the King his Master's said letter &c.

Earl of Bellomont's Instructions to Lieutenant-Governor Nanfan.

[New York Papers. Bundle, H. I. K., H 30.]

Instructions to Captn Jonhn Nanfan Lieutn Govr of His Majtys province of New Yorke to be observed by him during my absence from this province —

Whereas by His Majtys Commission to you bearing date the 9th day of Augst 1698. you are commanded among other things to observe and follow such orders and directions as you shall receive from His Majty, from me or any other chief Govr of the said province, of New Yorke, and the territories depending thereon for the time being, you are therefore to observe and follow the underwritten instructions as duly and exactly as may be —

1.). You are to doe and cause to be done justice impartially and indifferently to all people and to preserve the King's peace in all the province incouraging unanimity and reconciliation virtue and loyalty among the people. —

2). You are on all occassions to incourage the 5 nations of Indians to preserve them steady in their affection and fidelity[1] to the King —

3°). You are by no means to put any man into imployment or office whether civill or military, till you shall first have obtained my consent and concurrence to your so doing —

4°). You are not to pass any grant or lease of the King's lands or houses within this his province without acquainting me thereof, and first haveing my consent thereunto. —

5°). You are not to pardon any Pyrate or other criminall without acquainting me therewith and first haveing my consent and approbation of your soe doing, nor are you to make use of the great seal of this province on any account, or for any use whatsoever, except for sealing writts in chancery causes and suits.

6°). You are to give all possible discouragement to unlawful trade and to countenance assist and support the Officers of the Custome house in doeing their duty and seizing unlawful ships vessells and boats, and all unlawful goods and merchandizes and to order the Attorney Generall to prosecute at the law all Offenders and offences whatsoever against the lawes of trade and the Kings instructions whereof I have already delivered you a copy —

7). You are by no means to allow of or grant a freedom of port to any town or village within this province without my consent first had or obtained thereunto.

8°). You are not to order or appoint any paymt of money out of the public revenue or other money belonging to His Majesty, without the consent of the Councell except it be on the acct of mine, your own and the other sallaries —

9°). You are by all opportunities to advise me of all occurrencies in this province and Governt for his Majties service that I may give you my best advice what to do and how to behave yourself on any exigence of affairs wherein the interest of His Majty and this province is any way concerned.

10.). If any Pyrate ship or Pyrates come into this port or province, you are to use your best endevour to seize and secure them and all such treasure as shall be found with or about them keeping them in safe custody, till you shall have acquainted me thereof and received my advice and directions therein.

11.)° You are not to break open any packet or letters coming from His Majtys Secretaries of State or any other of the Ministers of State having my name on the direction or addresse —

[1] "Affection and *Loyalty* to the King" — *New-York Council Minutes*, VIII., 111.

but the same you are to transmit by the next conveyance to Boston, for in time of peace it cannot well be supposed the Kings orders relating to this province should be so urgent and pressing as to need and require your immediate execution thereof, before you have consulted me therein.

12)° You are not yourselfe nor any body else whatsoever to lodge in the New Appartments in the King's house within the Fort.

13)° You are to advise with His Majte's Councill upon all occassions, wherein there is the least difficulty, especially in all matters wherein I am commanded by His Majty's instructions to take their consent and concurrence.

14)° You are to signe and seal passes for ships, letters of Administration, probates of wills and licences of marriages, the fees and profits whereof to be set apart for my use according to His Majtys instructions, bearing date the 25th of October 1698. a copy whereof is ordered to be entered in the council book.

All which clauses and articles before mentioned you are hereby required to observe perform and do—Given under my hand and seal at arms, at fort William Henry the 15th day of May 1699.

A true coppy (signed):

BELLOMONT.

Journal of Johannes Glen and Nicholas Bleeker's Negotiations at Onondaga.

[New York Papers Bundle, H. I. K; H 32.]

Journall kept by Johannes Glen and Nicholas Bleeker at Onnondage one of the five nations of Indians begun the 20th day of March 169$\frac{8}{9}$ and continued till the 21st day of April 1699.

The 20th of March we arrived at Onnondage when all the Sachims came to us, and enquired our businesse, we told them we were sent by Gentlemen of Albany to heare what newes Ohonsiowanne the messenger had brought from Canada, the Sachims said it was very well done to come and hear it.

Ohonsiowanne and Odatsighte arrived at Onnondage from Canada, and brought with them five belts of Wampum, by the first belt the Governor of Canada said, he thanked his Children of the five nations for coming to see him upon the death of Count de Frontenar.

The second belt said, why are you affraid to come here, whereupon those sent from Onnondage answered, wee heare that your kettle of wrath boyles still, meaning acts of hostility or the Warr; the Governor of Canada said it was true, he would not dissemble for that matter.

By the third belt the French said it is good that the prisoners be released on both sides—

By the fourth belt the French Governor said I will that all the chief Sachims of the five nations shall come here to me. Then said Monsr Marbeur,[1] our Ancestors kept always their generall meetings at Onnondage, and we are inclined to doe soe still.

By the fifth belt the french said, they demanded Malukander[2] or River Indian that was a prisoner at Onnondage, and also two Rondax Indians that were prisoners at Cayouge. I tell

[1] Maricour. [2] Mahikander.—Ed.

you to bring the said prisoners with these messengers in the space of sixty dayes to Canada that I may satisfy my children the Rondax Indians in that Matter.

Then the French praying Indians came and said that the five nations should not hunt on the other side of the great lake, for we know not what the Rondax Indians are minded to doe — Did give five fathom of white wampum.

March 22nd Jan Baptist the interpreter went to Albany to acquaint the magistrates there of the promises and the Sachims of Onnondage desired that Coll: Schuyler and Major Wessells should come there which he promised to acquaint them withall, and to bring them an answer in twenty five days time.

March 28th Came Sannoghtowanne with another Indian from Canada to Onnondage with prisoners (vizt). two Indian men, and two squaas, together with an Onnondage Indian that had gone from hence two years ago to Canada of his own accord; There are still two Onnondage Indians detained at Canada by the French.—

April 9. The said two French Indian Messengers went to the small lake to make a birch Canoe to return to Canada.—

April 13th. The said Canada Messengers came to Onnondage again.

April 14th Johannes Glen received a letter from his wife; the Sachims asked what was become of John Baptist, we told them, he was gone directly for New York to acquaint the Earle of Bellomont with the message, they asked how long is it since he went, we told them fifteene dayes, then the Onnondage Sachims resolved to send for the Cayouges and Sinneckes Sachims to be at Onnondage in eight or ten dayes time.

April 15th The Sachims of Onnondage were convened together, the chief Sachim was asked what the meaning was of their meeting he told them, there were Cayouges came to whom they would impart the news, which the Messengers had brought from Canada, then Johannes Glen told Kaqueendera the Chief Sachim, You must do nothing till Jan Baptist returns.— This evening Odatrighte the French Indian Messenger arrived here.—

April 16th. The Sachems mett together but Kaqueendera was absent, when the meeting was over the Cayouges were asked, what had passed in said meeting, he said wee could not agree, but would give no further account.—

April 17th The Sachims told me that the French Indian Messenger would return to Canada in seven dayes time, I answered and told them, that I did not believe they would doe any thing without Corlaer, they replyed, the Messenger Odatsighte would stay no longer, we said to Kaqueendere the Sachim, are not you Master, he said, he did not meddle. Then Johannes Glenn resolved immediately to goe to Albany and to take an Indian along with him to see where Jan Baptist stayed soe long, the Onnondage Sachims said, it was very well done, I told them I should be back in a few dayes, and you must keep up the Messengers, that they doe not go to Canada. Dekannissore and Kaqueendera the two chief Sachims said, they would speak to the Messengers to stay which they forthwith did, but Odatsighte the Messenger said he would not stay soe long.

Dekannissore said to Johannes Glen goe you neverthelesse to Albany it will be ten dayes before they can goe; The Cayouge Sachims returned to their Castle;—Kaqueendera told him they could not agree with the french Messrs and said further, their Christian brethren Or quieder must be here first; and then Johannes Glenn went to Albany where he found Jan Baptist and two other Gentlemen bound for Onnondage.

April 19.) The Sachims told me that the messengers were going to Canada, I told them that they ought to remember what Corlaer had said to them in the propositions last summer, which I repeated to them as well as I could; I told them also how that they had promised to stay seven dayes.—But why the Indian Sachims said, hath Corlaer meaning the Earle of Bellomont Governor of New York ettc, not gott our prisoners exchanged, as was promised in the publick propositions, for we have desired it very earnestly of our Brother Corlaer but it is not effected.

April 20 and 21. Nothing remarkable happened.

Translated out of the Dutch

(signed) p^r R^t LIVINGSTON

Secrt^y for the Indian affairs.

Journal of Arnout Cornelisse Viele's Negotiations at Onondaga.

[New-York Papers. Bundle, H. I. K. H 88.]

Journall of Arnout the interpreters journey to Onnondages.

April 14^th) I went from New York and came with the boat as farr as Kinderhook and there took a Canoa and arrived at Albany the 21^st instant: The same day Johannes Glenn Junior came post from Onnondage, being sent with the Sachims expresse order to see where John Baptist tarried soe long, for that in nine dayes the time was expired that the Messengers were to goe to Canada.—

Ap^r: 22^nd A messenger is sent to Onnondage to acquaint them that we were coming to their meeting, and send seaven hands of Wampum as a token or letter. This evening Cap^t John Schuyler, Capt^n John Bleeker, John Baptist and myselfe, sett out towards the Indian Countrey and in the:

24^th arrived to the furthermost castle of the Mohogs where we found but two Mohogs at home, whom we desired to go along with us to the generall meeting at Onnondage, whether we were sent by their Brother Corlaer the Earle of Bellomont, to speak to the five nations, but the principal Sachim being sick they could not goe, We told the Maquaase Sachims by way of discourse, about the vacating of the patent of the Maquaase land, and about making a stone forts at Albany, Schenectady and Canastagione, and that they should have protestant Instructors in their Countrey, at which they were extreamly rejoiced, and thanked their Brother Corlaer for his great care and affection towards them, and since there were no Sachims to go up to Onnondage, they desired us to speak in their behalfs to the rest of the nations at the generall meeting that they did not approve of Indians being suffered to go to and fro to canada to speak with the French Governor, and that those that are lately come from thence, ought to be examined to speak the truth of matters there. The two old Maquaase Sachims told us they stuck fast to Corlaers orders and instructions, and gave their vote soe as his Lord^p was pleased to insert in his Instruction, sending seven hands of Wampum to the Generall meeting as a token thereof.—

April 27th We came to Oneyde, rainy weather, we understood here that as soon as the Onnondages had heard of our being upon the way they sent Messengers to the upper nations, Coyouges and Sinnekes to come to the general meeting.

April 28th Wee arrived at Onnondage, and the Messenger sent to the upper nations returned back this night, and said they would be here with all speed as soon as they heard that Corlaers messengers were arrived at Onnondage—

April 29th Two Sinnekes Sachims arrived at Onnondage.—

April 30th We sent for the Sachims of Cayouge the second time with seaven hands of Wampum, to come to the general meeting; Not far from Cayouge the Messenger met a Cayouge Indian who told him that all their Indians young and old, were in the woods to fetch young pidgeons but neverthelesse he undertook to fetch the Sachims out of the woods, and to tell them that Corlaers messengers were come to Onnondage and that they should make all haste to meet them.—

May 1st and 2nd We waited with patience for the Cayouge Sachims—There was at Onnondage at this time an Oneydo Indian called Odat-sighte a papist, who endevoured by all means to be the Messenger for Canada, from the five nations, about the two Indians whom the French Governor still detaines prisoners, and perceiving his business baulked by our coming, he went away all alone on the third of May to his own Castle Oneyde, the Indians of Onnondage seeing him march off soe much dissatisfied said one to another, how fain would he have gone Messenger to Canada, he is not a little troubled at it, and ashamed to. In the mean time we staid for the Sachims of Cayouge but they did not come.—

May 6th Sent two Messengers again to Cayouge since nine dayes were elapsed that the last Messenger went, the Messengers returned in the evening, and said, the Sachims met them half way, and that they would be here to morrow, but they came that night.

May 7th The four Nations were convened and the Maquaase who were the fifth nation submitted to the Earle of Bellomonts Instructions, and as a token thereof sent seaven hands of Wampum, which were hung up in the proposition house and then we spoke to them pursuant to His Excellcys instructions very orderly, and gave them nineteen gilders of strung Wampum and when we had done speaking Dekannissore said, there is nothing said when we shall bring the French prisoners to Albany in order for their being sent to Canada. Wee told them to come when they would [or when they were sent for] said further how is it with those five french prisoners we left at Albany. We answered that they should heare that when they come to Albany— But, said dekanissore wee have seen some of these five french prisoners at Canada. We told them we were assured that Corlaer knew nothing of that, but, said Captn Schuyler, I know one of said prisoners is run away, and I believe to your own Contrey.

This discourse being ended one of the Sachims asked for the five belts which the Governor of Canada hath sent to Onnondage, whereupon one of the Young Indians threw them to the Sachim with an angry countenance, but not throwing them soe farr as to reach the Sachim that asked for them, another Indian most disdainfully kick'd them forward to the Indian that demanded them, and then begunn to tell the propositions that had been said by the said Belts by the Governor of Canada; But we went out of the proposition house, and said we will not hearken to such prohibited things, nor meddle with them, for it is told you positively just now, that you are to keep no correspondence with the French.—

About an hour afterwards Dekannissore the Sachim came to us, and said, Brethren, now we are going to consult with one another, and as soon as we have done, shall give you an answer; And they were together all the afternoone yet no answer come till the ninth of May.

Translated out of the Dutch

(signed:) p^r R^t Livingston secretary
for the Indian affairs

Messrs. Schuyler and Bleeker to the Earl of Bellomont.

[New-York Papers. Bundle H. I. K. H 85.]

Albany May 14.—1699.

May it pleas your Excellency

In due obediance to the Instruction of your Excell^cy and the Gentlemen of the Assembly,[1] we have been to treat with the five nations at Onondago and according Your Excell: command left John Baptist van Eps there. We thought it fit to bring Aernout Viele back with us whom we sent with a Canoe and two men we hired to goe with him for 30^s each man to be paid in New Yorke to bring your Excell:^cy this letter—Wee thought it needles to leave the intarpreter Viele with them because they accept your Excell^cies propositions and would be here in Albany on the 23^rd of this inst: to treat with your Excell^cy one person, as your Excell^cy may see by the enclosed proposition of the five nations and our journall to which we refer your Excell^cies.

Your Excellcy's most humble
and obedient servants
(signed) Johannis Schuyler
Johannis Bleeker—

Report of Messrs. Schuyler and Bleeker's Conference at Onondaga Castle.

[New-York Papers. Bundle H. I. K. H 84. (marked H 24).]

The 21^st of April [1699] we received His Excell^cys instruc^tus by Aernout Cornelisse Viele, the same day in the evening the post came with John Glen with an Indian to Albany from Onnondague, and reports that he was sent by the Indians to look for John Baptist and to know where he had been so long, for the time prefixed for their going to Canada was expired within nine days—The 22^nd We left Albany and so did the Messenger in the morning as we did in the evening—The 24^th We came into the Maquois country in the uppermost Castle and there told them that we were ordered for Onnondague by the Gov^r there, according to his orders to speak with the five nations, and because there were no Maquaes at home to appear in the Assembly at Onnondague, we told unto two old Sachims what related to the patent of the Maquaes land

[1] Ante, p. 498.

and that they should have Protestant Ministers amongst them, at which they were very glad and highly thanked the Governor for his great affection to their nation and there being no Maquaes at home to be at the Assembly at Onnondague, they charged us with a Message to the Assembly of Sachems that they did disapprove of the going of any of the Caenoestoery[1] for Canada to speak with the French Gov[r] requiring to know their positive designs therein, and so they sent seven hand of Wampum with us for to have their voice in the General assembly and also that they would stand by the propositions made to the Gover[r] — The 27. We came to Oneyde and heard that the Messenger was arrived the day before at Onnondague, and when they understood that we also designed to be at Onnondague, the next day the Sachems of Onnondague sent for the Sachems of the Cajuges and Sinnekes to come forthwith to the assembly and the Sachems of the Oneydes that were at home said they would follow us the next day — The 28[th] We traveled from Oneyde and come that evening to Onnondague, and their Messenger from the Cayuges came the same night and reported when the Gov[rs] Messengers, are arrived we shall also come — The 29[th] came two Sachems of the Sinnekes — The 30[th] they sent two Messengers to the Cajuges with seaven hand of Wampum and on the way they met with a Cajuger and understood by him that their Sachems were not at home but he undertook to acquaint them with the Message, and that we were arrived, for the Sachems were gone into the woods to catch young pigeons. The 1. and 2. of May, we waited for the coming of the Cajugers — The 3[d] of May Odatsighte the Cajuger finding there was no hopes of times of his being sent a Messenger to Canada for which he longed mightily, he went home all alone and some young Indians said to one another, Odatsigte is ashamed and goes home alone, in the meanwhile we stayd for the Cajuges but they came not. — The 6[th] of May we sent two Messengers for Cajuge since it was nine dayes agoe the first were sent, and they met the Sachems about half way, and they came the same day to Onnondague — The 7[th] the four nations assembled and the Mahacks having submitted their voice to the propositions made to his Excell: when they delivered us 7 hand of Wampum, to be hung in the new house as we have done, and then we spoke to them according to our instructions in the best order possible, when we finished we laid down 19 gilders, then said Canossore, Brother Corlaer, there was no time prefixed when we should come to Albany, and we said come when you will or when you are sent for — he said further, Brother Corlaer, the 5 Frenchmen which we brought to Albany how is it with them — We answered, when you come to Albany you shall see and hear it — Cannosore said, we have seen them in Canada at least one of them, we answered we assured Corlaer knowes nothing of it, but we know that one of the five is run away, and it may be is in your Country — after this discourse one of the Sachems demanded the 5 breats of Wampum which were sent by the French Governor and one of the Sachems got them and threw them towards him, but not so far as that Sachem sat, and another Indian very scornfully kick'd them at him and they related the Messages sent with them by the French Gov[r] — We said that we would not hearken to such things as were forbidden, has it not been told you expressly but just now by the Goverun[rs] order that you are forbidden to hold any correspondence with the French, and we went forthwith out of the house, about an hour after Canassore came to us and said Brother Corlaer, now our Assembly is going to consider together relating to the propositions of the Gov[r] and as soon as we have done we shall give you an answer, and they gave an answer on the 9[th] as appears by the same, this we certifie to be the truth. Witness our hands.

JOHANNES SCHUYLER, JOHANNES BLEECKER.

[1] *Sic.* Qu? Coenossoeny. Compare ante, pp. 78, 122, 280.

Answer of the Five Nations to the Earl of Bellomont's Message.

[New-York Papers. Bundle, H. I. K; H 37.]

The answer of the five nations of Indians to Capt[n] John Schuyler and Capt[n] John Bleeker, Messengers sent by His Excell[cy] the Earle of Bellomont in Onnondage the ninth day of may 1699.

Interpreted by Arnout Cornelisse and Jan Baptist van Eps.

Dekanissore was speaker.

The message we have now received forbidding us to send to Canada for our prisoners is matter of great grief and sorrow to us, in regard that when our last Messengers were there, they were in a manner sett free, but now since we are commanded by Corlaer not to goe thither they will be detained there still. Neverthelesse we will obey Corlaers Commands, and not goe to Canada but we must begg leave to tell you that you are very slow in exchanging of the prisoners for we insisted last summer in the publick propositions to have a general exchange but there is nothing come of it, we feare you have no love for us. Else you would either procure the releasement of our prisoners from the French or suffer us to do it ourselves.

Brother Corlaer. Wee were designed last fall to goe to Canada for our prisoners but were stopped when we came to Albany where we found the Lieut: Gov[r] who told us he believed Monsieur Markeur a French Gent: would come from Canada for that purpose, and accordingly left five french prisoners in his hands to be exchanged for ours, but we find by experience we have been deluded hitherto and our people still kept prisoners we were very glad when we heard that Corlaer meaning the Earle of Belmont arrived at New York, we were in hopes then that we should have been able to shake off the French yoak, but to our sorrow we find, they keep our prisoners, and his kettle of wrath boiles still, we desire that Corlaer may oversett that kettle of warr, for we sustain great damage daily by the farr Indians, which is all done by the instigation of the french, nay the French threaten sorely that they will not putt up the sword, till we come to Canada and bring the French prisoners with us, and fetch our own from thence, and if we goe, then you say we break the covenant chain, this is a great hardship upon us, when did we transgresse or break the covenant chain or kill any of your people, as some of ours have been not long agoe—It is hard to alleadge that the covenant chain should be broak for such a matter as this is, should all that long chain of friendship and correspondence which we have had together for soe many yeares, ever since christians came first into these parts, be broke upon so small a businesse as going to Canada for our friends detained by the French contrary to the articles of peace.

Brother Corlaer. We understand you are about to build three forts in your Government, but why will you doe soe it is now peace over all, these forts should have been made in time of warr, We five nations are of opinion, there is no need of making forts in time of peace.

Brother Corlaer. We are thankfull to you for your care of us in asking by Arnout the interpreter, whether we will have a fort at our Castle, wee doe lett you know that if it should happen to be warr with France again it will be highly necessary.—You likewise tell us if any Indians doe us harm in our hunting we are to repell force with force, which we will doe,

but withall desire your assistance of Arms and Ammunition, for the Waganhaers[1] are daily upon our coasts—no longer than to day we have an account of several of the said Ennemy being seen within two dayes journey of this castle, therefore pray that some ammunition may be delivered us, fearing that many of our people are already killed in theire beaver hunting.

Brother Corlaer. You have been pleased to direct that no Jesuits be permitted to come among us, but that in lieu thereof wee shall have English Protestant instructors of the Christian Religion; when wee are soe farr, that all things are well and settled, then we will consider of that matter.

Brother Corlaer. You say that wee five nations are the King of England's subjects, well brother, be it so, but if the French should make a warr upon us and molest us as they have done, pray lett us have assistance in reallity and not be deluded with falsehoods as we have been formerly.

We were at Albany last Winter when it was concluded that Coll: Schuyler Major Wessells and Hendrick Honse, were to goe to Onnondage, and when they came to the Maquaase land, they spoke by a belt of Wampum, that the meeting should be at Albany in seaventy dayes, but now we will have certainly a sitting there at Albany—did give a belt of Wampum.

Brother Corlaer. I have told you by this belt that there will be a generall meeting of all the Sachims of the five nations at Albany and we desire our Brother Corlaers presence, we will obey your orders, and not goe to Canada, nor send thither.

Brother Corlaer. Lett the goods be cheap and the match coats large, but especially lett powder be sold reasonably and then we will see you love us, we will consult and advise with one another at Albany, for the prisoners be there: Therefore lett the meeting at Albany be as speedily as possible, for it doth vex us sorely that our people are detained prisoners at Canada.—(: Did give a bunch of Wampum of forty eight hand, white and black :) we desire that Corlaer may be present in person, for we will be there in fourteen dayes time.

Instructions to Messrs. Hanse and Schermerhorn..

[New-York Papers. Bundle, H. I. K. H 38.]

Instructions to be observed by Hend^{rk} Hanse Mayor, and Ryer Schemerhorn in their journey to the Maquaase nations of Indians, New Yorke 19th May 1699.

You shall with the first conveniency goe unto the Maquaase Indians at their Castles, and when you arrive there you are to call them together, and when they are assembled you are to acquaint them that you are sent expresse from his Excell^{cy} and Counsell, to give them an account of the justice his Excell^{cy} has done them in that matter of their land of which they complained.

You are to tell them that upon complaint made to his Excell^{cy} in July last when he was at Albany, his Excell^{cy} did observe that in the propositions that were then made by the five

[1] Ottawas. See ante, III., 808; IV., 61.—Ed.

nations of Indians, the Maquaase nation did complaine of a great violence and injury done them by Domine Dellius in deluding them to sign a writing by which they had conveyed their land upon pretence of trust to keep the said land for the Indians, Whereas he tooke a patent for the same to his own use against the communication and treaty the said Dellius had with the said Indians, who thereupon desired His Excell^{cy} to burn and destroy the said writing, that they might peaceably without any molestation enjoy their said land. And at the same time did complain of another injury done them some years ago by Coll Bayard and Arent Schuyler, who in like manner had seduced the dispose of another tract of land called Skohire which is alleaged to be sold by such Indians who had no right to do the same.

His Excell^{cy} having taken the said complaint into his consideration hath made a strict inquiry into that whole matter and did recommend the same to be exam^{d} by the Assembly, who summoned the said Dellius before them, who accordingly appeared, and was then charged with the breach of trust and faith he had given to the Indians, and upon a full hearing of his defence it was found by the assembly that he had betrayed that trust the Indians reposed in him and for that cause the patent granted him for the said land ought to be vacated and himself censured, whereupon his Excell^{cy} did order a bill to be drawn for that purpose, which bill hath not only vacated the land of the Maquaase but also another grant upon the north river as you go to Canada, and the grant of Coll: Bayard, soe that the said Indians are possessed of the said land, as if no such writing had been, and the said writing fully destroyed as the Indians desired, and for a punishment for his said offence his Excell^{cy} has suspended him from his place as a person not worthy to be a Minister of the Gospell, who would betray his proselyts in such a manner—You are to acquaint them of the great love his Excell^{y} has to the brethren by the strickt justice he has executed upon M^{r} Dellius for their sakes, and therefore exhort them to be firm and steady to His Excell^{cy} and this Government, and that they be watchful that they be not insnared by the further insinuations of the said Dellius and the interpretesse, for he is soe inraged, that he will depart from truth to doe any thing; soe they must not by any meanes hearken to any thing he sayes upon that matter, but peaceably enjoy their own lands, and take care, not to be seduced, inticed, or deluded any more, but to keep the same for themselves and their children in the enjoyment whereof, His Excell^{cy} and the Govern^{t} will protect them therein, and they must not pretend either to sell or give any part of their said land without acquainting his Excell^{cy} first.—

You are to send seaven hands of Wampum to each of the other nations acquainting them of the premisses, that the land is restored to their Brethren, the Mohogs and M^{r} Dellius suspended for deluding the Indians to signe that paper.

Proceedings of the Commissioners and the Five Nations.

[New-York Papers. Bundle, H. I. K. H 41.]

At a meeting of the Gentlemen appointed to manage the Indian affaires in Albany the twelfth day of June 1699.

PRESENT—Coll: Peter Schuyler.	Johannes Schuyler	Esq[rs] Aldermen
Hend[r] Hanse Mayor	Hend[r] von Ranslaer	
Cap[t] James Weemes Coms[ry]	Jan Vinhagan	
Major Dyrk Wessells.	Wessell von Brook	
Jan Janse Bleeker Recorder	Johannes Cuyler	
	Albert Ryckman	

Johannes Greenendyk Sheriffe.

The following instructions sent by the honorable Capt[n] Nanfan Lieu[t] Gover[r] were read viz[t]:—

Instructions concerning the Indians upon theire conference at Albany.

If the Indians doe insist to have leave to goe to Canada to make a separate treaty with the French for the release of their prisoners, it will be needfull to tell them, that as they are subjects of the Crown of England this Government will take care to doe all that is possible for the recovery of their prisoners, from the French. But if they will goe to Canada then acquaint them that I will send two Gent: along with them that shall treate with the French for the release of their prisoners and to prevent any misunderstanding, lett the Indians propose what they expect from the french, and what they would say to the french and lett it be concluded upon by all the brethren before they goe, and what is so concluded to be the effect of the treaty with the French and nothing else. Given under my hand and seale at armes at Fort William Henry in New York this eighth of June 1699. and in the 11[th] yeare of His Majestys reigne.

JOHN NANFAN

By order of Councill.

B. COSENS. Ck: Counlij:—

The Gentlemen being informed that the two Indians that have been kept prisoners at Canada since the peace have now their Liberty sent for Abraham Schuyler and Dyrk Vanderheyden lately come from thence who declared, they saw one of the said Indians at liberty and said his mate was out a hunting and as soon as he returned they would make it their businesse to get home, he would have come now but stayed for his comrade.—The Gentlemen are of opinion that in regard the two Indians, are no more under confinement but free, and have leave to go out a hunting, that it will not be expedient, that any of the Indians goe to Canada to treat with the French about said two Indians much lesse that two Gent[n] should goe along with them.—

Whereupon it was resolved to make the following proposition to the Sachims of the five nations.

After they were bid welcome and told that their answer came to late for His Excellency, the Earle of Bellomont was gone to New Engl[d] to receive his other Governments which the great King hath intrusted him withall, but that the Lieu[t] Gov[r] who has the chief command of this province in His Excell[cies] absence had sent his orders and an answer to their propositions

made to Capt^{n} Schuyler and Capt^{n} Bleeker in their Countrey but in the first place we are to acquaint the brethren that as soon as we heard last winter of your precipitate intentions of sending Messen^{grs} to treat with the Gov^{r} of Canada, Coll: Schuyler Hendrick Hance Esq^{r}: Mayor and Major Wessells resolved to come and see you in your Countrey to divert you from such evill resolutions, but when they were gott as far as the Maquaase land the post met them with the news that they came to late, for the Messengers were gone seaven dayes before they could reach Onnondages.

This you have done to your great shame and disgrace, contrary to your promise made to His Excell^{cy} the Earle of Bellomont last summer and afterwards renewed to the Honb^{le} the Lieu^{t} Gov^{r}.

Since that time you sent for Coll: Schuyler and Major Wessells to come to Onnondage by a Belt, doubtlesse to treate about the same subject, whereupon His Excell^{cy} Corlaer thought convenient to send Capt^{n} Schuyler and Capt^{n} Bleeker to you with instructions to inform you, how ill his Excell^{cy} tooke it, so palpable breach of your faith and promise, and warned you as you tendred the keeping of the covenant chain, not to keep any further correspondence with the French of Canada and fearing that you might fall in the like inconveniency by the temptation of the french and their Jesuits, his Excell^{cy} has sent for you to know the reasons why you are soe earnest for a treaty with the French after so many promises to the contrary.

Brethren. We can not relate the evil consequences of such actions and we have reason to believe there must be something else in it, then to fetch your prisoners; the excuse is now out of doors, for your two prisoners that were under confinement are free, one of them is lately come from hunting and the other is out a hunting still, as the Christians and Indians lately come from Canada can witnesse, soe that that cause be no more a pretence.

Brethren. You know not the French soe well as we, although they have given you some proofs at Cadaracqui, at your Castles ettc. but you can not dive into their intrigues, it is not for nothing that they send you belts of Wampum and delude your people and [inveagle] them away, the snake lyes hid in the grasse. Therefore we will say but one word more, and then conclude, because we would not burthen your memory.

Consider you are the subjects of the great King of England under whose obedience you have been soe long time out of mind and the covenant chain hath been so often renewed with this Govern^{t} that there is none now living that can remember the beginning of it, Therefore cleave firm to that chain, and this Government, that hath been soe true to you in warr and peace, and lay aside all thoughts of correspondence with the French, for we shutt up that path then you will be happy and live comfortably. There was given them upon this a bunch of white Wampum.

Corlaer has been mindful of your proposition concerning amunition to defend yourselves from the Assaults of your Ennemies, and has therefore ordered you two hundred pounds of powder and lead equivalent which we now give you.

R^{t} Livingston. Secretary
for the Indian Affaires.

Answer of the five nations of Indians the thirteenth day of June 1699.

PRESENT—Coll: P. Schuyler, Johannes Schuyler,
Major Dyrk Wessells, John Vinhagen,
Hendrick Hanse Mayor, Johannes Cuyler,
Capt: James Weemes Albert Ryckman,
Jan Janse Bleeker Recorder, Wessell ten broek,

Interpreted by Hille and John Baptist von Eps.

Dekanitsore Speaker.

Brother Corlaer and Quider or Pieter.

We are now come here to speak according to your desire and as it was concluded last winter, altho' we have not had an account yett of what we proposed in our Countrey—

You have yesterday stopped the path to Canada, we will adhere to it.

Then Aqueendere another Sachim of Onnondage spoke and said.

You told us yesterday we had some other designe, then meerly to gett our prisoners from Canada, since we were soe eager to send thither, but we had not, only we saw, that the meanes used proved ineffectuall, and we were in hopes this expedient would take.

We have understood yesterday, that you have quite shutt up the path to Canada, all we the five nations are glad of it, provided that the path be stopped wholly as well from the Brethren as from us, for there is an open road from this place to Canada of late, yea, a beeten path knee deep, soe bare you have trod it of late—doe give five ps Bever.

You have not made any answer to what we proposed in our Countrey to Capt[n] Schuyler and Capt[n] Bleeker at which we are not a little concerned, we left some french prisoners here last fall, with a consideration that there should have been a generall exchange of all prisoners on both sides but we see nothing of that—

Last summer we were here, then his Excell[cy] the Earle of Bellomont did shutt up the way to Canada, we were once desirous to have gone thither together, and that each nation should have sent a man to redeem the prisoners along with the Christians, afterwards we resolved to leave the whole matter about the redemption of our prisoners to His Excellency who thereupon sent Capt[n]: Schuyler to demand them, and then it was we had the tidings that instead of looseing of them he had secured them faster, that was policy of the French to spread abroad such reports: They served us another trick: There was an Indian who went from our Countrey with five small belts of Wampum to the French of Canada being sent by the Oneydes, Onnondages and Cayouges to see to get our prisoners out of the hands of the French, and this Messenger returning with two belts of Wampum brought us the news, that the French had made the world believe that four of us five nations had made a separate treaty with them, excluding this Govern[t] and the Maquaase only to raise a jealousy among us, soe that the French can deceive the Brethren as well as us.

Last Summer when we made our publick proposition to his Excell[cy] we did expect that His Excell[cy] would have propounded that we should have brought all our French prisoners here, and that we then joyntly should have gone to Canada to release our prisoners, but this was not done which grieved us, we would faine have gone hand in hand and loosed the prisoners.

The prisoners that we took have been from time to time taken from us, and sent to Canada, and those which be left in the brethrens hands are likewise lessened, soe that we loose our prisoners and get not our own people back, we thought to have spoken about those prisoners we left the last fall but we heare nothing of them, we hearken to all which his Excell^{cy} Corlaer sayes to us, but Corlaer doth not much regard us.—

Corlaer and Quider. Our heart is full that no more regard is had to our prisoners, we thought we were mett now to discourse about that subject, but you tell us they are free, and that we had something else in our heads that made us soe eager to goe to Canada, such doing without communicating it to one another would doe enough to overturn a whole land, therefore this point must be handled tenderly.

Brethren. Consult and advise together, our stomach is full, for we see there is no thorow reconciliation between the French and us, for the Governor of Canada says that his kettle of wrath is butt sett a little aside, it boiles still, therefore let Corlaer oversett this French kettle of warr, according to his promise, and doe you take councill what way to get our prisoners out of the hands of the French, else some may goe and take revenge, and let us conclude what we shall doe with the French we brought here last fall.— Gave ten beavers.

It was proposed to the Brethren that since they left that matter of the two prisoners at Canada to us, that they appoint three or four of their Sachems to meet three or four of the Gent^{n} to conferr about that matter, which the Indians accepted of, then there was given them ten keggs of Rum, and five rolls of tobacco, with baggs to put the powder in given them yesterday.

The Sachims pitching upon five of their number for that purpose one for each nation, Coll: Schuyler, Hend^{r} Honse Esq^{r} Mayor Capt^{n} James Weemes, Major Dyrk Wessell and Robert Livingston were appointed a committee to treat with the five Sachims in which conference it was proposed to them as follows:

That since the said two Onnondages who are still at Canada, and soe much longed for by the Brethren are no more prisoners but linger their time away in hopes of the five nations comeing there to redeem them, and make a separate treaty with the French that a couple of trusty Indians ought to be sent in a Canoa with goods to trade with the French, who must tell the said two Indians, that the path to Canada from the five nations is shutt, and that they must not depend on the Sachims coming to treat with the French, or that they would fetch them— Therefore they must come along with the two Indians hither.

Which proposall the Sachems aproved of and after consideration thereof had pitched upon Oennaw a Sinneke Sachim then present a sober understanding man who accepted thereof, and ingaged not to have any discourse with the French, moreover that he has a very plausable excuse having a son taken prisoner by the Dionondadees or farr Indians, and a frenchman who was taken at the same time last summer who is now come back to Canada, would inquire of him how it is with his son. This person was approved of and they named another Sinneke Canniengeera to be his companion and was told to come back hither and bring the said two Indians with them and they should be fitted out with some goods to trade to cover their designe, and other necessaries for their journey accordingly

As for the French prisoners that were left here last fall, shall be kept here till the said two Indians returns from Canada and then to be sent home — The said Sachims being recommended to take care that no correspondence should be kept with the french at Canada, they replyed that they were convinced themselves that it was of ill consequence to suffer any Indians to go

thither either upon private or publick account for that the french did continually strive to delude and debauch their Indians from them, therefore they would shutt the path quite.

Rob^{t} Livingston Secr^{ty}
for the Indian affaires.

Albany the 14th June 1699.

Present—Coll: P. Schuyler. Hend^{r} Hanse Mayor,
Capt^{n} James Weemes, Dyrk Wessell.

The Sachims of the five nations being mett at the City Hall they were told.

That the committee had agreed and come to a conclusion in their conference yesterday, but it was not convenient it should be publick—

That the path to Canada be kept shutt as was proposed yesterday as well for private Indians as Sachims, since by the Brethrens going there, the french and their Indians debauch them to leave their Countrey; That our peoples going thither was not attended with the like ill consequences, because never any could be deluded yet by the french to leave this place.

That the French prisoners, that were left here last fall doe remain here still till the Indians be come from Canada, that have been detained there by the French.

Then the death of Aqueendero chief Sachim of Onnondages son was condoled according to their custome by giving of some white Wampum to the Sachems which was kindly accepted.

The Sachim of Oneyde rose up and said, that they had received some news this day from their countrey, which they were ready to communicate if the Brethren would be pleased to hear it.

A Sinneke Indian man and woman are come from the farr Indians called the Dionnondadees the woman had brought her husband with her being one of the said farr Indians, who report that last fall the French of Canada did send some Indians to Dionnondade, with orders that the French should all come home, and also that the Governor of Canada ordered all the said Dionnondadees Indians to Come to Canada this summer telling that he had also sent for the five nations, and if they refused to come to treat with him, he was resolved to make warr upon them.

They have also news from the Southward that there is a new trader sett up about three days journey from their Countrey on a great tract of Land who has acquainted all the Indians that he gives goods very cheap and that there is seaventy Cayouges come from hunting with beaver, who were resolving to goe and trade there, and since the said person is settled there on our land without leave, as soon as we have an account on what condition he is settled there we will come and acquaint you.

Brother Corlaer and Quider.

Wee five nations have been troublesome to the Brethren, as now in the businesse of Canada and shutting up the path—desire that we may be held excused.

We have spoke a great deal in this house—if it were heaped up together it would make a great Piramide, and one of our principal propositions has been about the dearth of goods, but little notice has been taken, every thing continues deare, let some care be taken about that, now what is the reason that goods are so deare, when the Brethren came first to this countrey, you had but few goods such as beads ettc. and you lived in small hutts, but now you are grown Rich and high, and weare fine clothes and dwell in great houses, and this is all of the

Beavers we brought hither on our backs, and yet you will not hearken to give good pennyworth — Wee desire that since goods is soe deare and our Beaver soe cheap, that His Majesty the great King that lives over the great Water may be addressed that the people of England doe make their hats of beaver and not of sheeps wool, and that the duffels and Blankets may be made of Beaver wooll. — Now I have done with Merchandize — did give 14 p^{s} Beavers, 9 Otters and five Maters.

The Indians were answered that the goods would grow cheaper every day by the peace and that theire propositions should be sent to Corlaer who will acquaint the great King therewith —

While the Gentlemen and the Sachims were together, in the Citty Hall news comes that there were three frenchmen arrived from Canada and two Canoas more a coming in which was two Onnondago Indians who being sent for and examined amongst other things said, that the two Indians soe much desired by the five nations were well in Canada and free, had been out a hunting this winter above Cadaracqui which is neare their own Countrey that none of the Dionnondadees or farr Indians were yett come to Canada, nor the Bushlopers, neither was there any ships yett come from France this yeare.

About the evening the Sachims being convened together at the house of Robert Livingston, desired that some of the Gent^{n} might be sent for — The Mayor and Maj^{r} Wessells being come they said:

Brother Corlaer and Quider.

While we have been now shutting the path to Canada, here are French come to day from thence, what is the meaning of that, we hear they are come for these french prisoners which we left here last fall, and who were concluded to remaine here till further order.

But since we heare that our two Indians are free at Canada, we give our consent that the prisoners we delivered here last fall may be sent home, and that a letter may be sent with them, that they send their people home which is neverthelesse submitted to your judgement

The Indians were answered, that since it was confirmed by all hands, that theire two friends were free wee did concurr with them in their opinion that the French that were left here should be free also to goe home

R^{t} Livingston Sect^{ry}
for the Indian affaires.

Citty Hall of Albany: the 15th of June 1699.

Present — Hend^{r} Honse Mayor, Johannes Schuyler,
Cap^{t} James Weemes, Johannes Cuyler,
Major Dyrk Wessells, Jan Vinhagen,
Jan Janse. Bleeker Record^{r} Albert Ryckman,
Johannes Greenendyk Sherriff.

The gentlemen were convened together to consult about the delivery of the three French prisoners in order for their return to Canada, since their relations were come for them, and the Sachims being discoursed today, they leave the whole matter to the Gentlemen but withall said they were much concerned and very pensive, fearing that the French have an ill designe by their gathering all their forces together at Mont Reall and sending for their people from Ottowawa, and not only doubt of their Indians being fair dealt withall, but believe that the French invade them, and therefore say they condescend and wholly agree to whatever the Gentlemen shall doe in this matter, and if they dye they dye in our hands.

Jean Rossie who arrived from Canada yesterday saith he saw the said Indians free and that the Governor of Canada told him they had their liberty and asked him why their prisoners were not come home—

It was concluded nem: con: that the said three prisoners were at their liberty to goe where they pleased.—

Albany the 16th of June 1699.

PRESENT—Major Wessells, Hendr Hanse Mayor.

The Sachims being upon their departure mett together and proposed these five things before they went away.

1st That the Brethren should not be angry if any private Indian should goe and see their relations at Canada since it is now peace—

2nd That if any wicked base fellow, should take upon him without our privity to take a Belt or Belts of Wampum and goe to Canada and treat with the French, let that not be a breach of the covenant chain attributed to us.

3rd It was proposed to us the last time Arnout was in our Countrey that His Excellcy would cause stone forts to be build at Albany Schenectady and Cannestagione, yea in our very countrey at Onnondage and Souldiers in them which we liked very well and know not how soon we may have occasion for them, but we heare nothing said of it now, we believe that will be forgott as other things have been that were promised to us formerly.—

4ly It was also proposed to us that we should have Ministers to instruct us in the Christian faith but we heare no more of that neither.

5thly That we may have provisions upon our journey home.

They were answered:

That the path was shutt and could not be opened, but if any private Indian went to see his relations no notice would be taken of it, but that they should be carefull to tell such Indians not to be deluded by the French, but rather perswade their friends and relations to return to their native Countrey.

But as for any such base idle fellow that dares presume to take belts of Wampum and goe and treat with the French upon his own accord, they ought to expell him and kick him out of their Castle, and all the Sachims must be very vigilant in their respective castles to prevent such evills—

And for the forts and Ministers we will acquaint his Excellcy with what you say and you shall have provisions for your journey home—

The Sinnekes Sachim who was pitched upon to goe to Canada doth now return to his own Countrey alleadging there is noe occasion now since the two Indians are free and may come hence if they please.

Rt LIVINGSTON Secry
for the Indian affaires—

Information regarding Canada, furnished by Jean Rosie.

[New-York Papers. Bundle, H. I. K. H 42.]

The Examination of Jean Rosie come from Canada.

Albany the 19th of June 1699.

That he arrived at Mont Reall about the beginning of this present month of June, the Intendant and his wife had been arrived from Quebec two dayes — all the officers of whole Canada were at Mont Reall, he believes there might be about one hundred — all the Souldiers in pay were there also which he guessed to be about three or four hundred men — in fine, Mont Reall was soe throng of people, that scarce any lodging was to be had for money — After a narrow and strict enquiry, why such generall rendevous was at Mont Reall, he understood that the Governor expected the Sachems of the five nations to come and treat with him and in discourse with Monsr de Caliere Governour of Canada, he told him that he hourly expected the representatives of the five nations to come and treat with him; Whereupon the said Jean Rosie told him, the Sachims would not come, and that he need not expect them. The Governour asked him if Captn Schuyler and Arnout had been at Onnondage he replyed yes, then the Governour sayd; I have heard that they have deluded the Indians not to come and treat with me, thus the English always serves me. The said Jean Rosie said, what have you to doe with the Indians, they are the King of England's subjects, if you have a mind to speak to them apply yourselfe to the Earle of Bellomont — The Governour sayd if they doe not come according to their promise I will goe and make them a visit, and said further, as soon as the ships arrived from France, and that he had news from Court, he would send Monsr Marriceur as an agent to the Earle of Bellomont. — The said Jean Rosie sayd he heard the Officers say if the Sachims of the five nations did not come and treat with the Governour they would invade them in their Countrey, and that they only stayed for orders from France — The said Rosie saw the Batoos and other flatt bottom boats, a Cauking, about two hundred in number, and he heard of the inhabitants or Burgers that five bakers had been constantly imployed in baking of bread all this spring —

He heard of the French Mohog Indians that they were noewise inclined to assist the French against the five nations, they would not goe up along with them.

The said Jean Rosse sayes further he saw the two Indians of Onnondage that had been under confinement now at liberty and might goe where they pleased; and moreover the Governor of Canada asked him, why he did not bring the French prisoners along with him, that were at Albany, he replyed, why do you not send back these two Indians to their castle, that have been soe long in prison, the Governor said they are free and have been out a hunting as farr as Cadaracqui, hath not Abraham Schuyler told you soe they were sett free when Abraham Schuyler was here last winter with the horses; the said Rosie told the said two Indians, that the Governor had informed him they were free, and why they did not goe home, the two Indians said they expected the Sachims of the five nations and would return with them — The said Jean Rosie asked why that Purmerent an inhabitant of Shonnectady's son was not sent home, the Govr answered that he was free to goe when he pleased, he did not detain him.

was signed — his JEAN × ROSIE mark.

Colonel Peter Schuyler to Lieutenant-Governor Nanfan.

[New-York Papers. Bundle, H. I. K. H 43, 44.]

Albany the 30th of June 1699.

May it please Your honor

Yesterday arrived a messenger sent by some of the Schakkook Indians, with the inclosed proposals, what thereunto is annexed we think will be needfull to answer them, and [are] of opinion that their settling there if not prevented speedily, will not only for the present be prejudiciall to this Govern[t] but in case of further warr, they will be so many ennemies more to the utmost ruine of us. Here is one William Robie who hath been with the said Indians since last winter and sayes that they are designed to settle in the lake at a place called Winooskeek[1] and saw them preparing a present for the Governor of Canada to be given after this Messenger returns; Therefore my opinion is that it will be needfull to send some sufficient persons for to prevent such treaties, and to intice them back to their homes—The Messenger is held up till your honors further answer, which we desire may be speedily sent up—Soe shall remaine

The presents given is three Beavers which we sent to Your Honor.

Your Hon[rs] most humble and ob[t] Serv[t]
P. Schuyler—

Present—Coll: Peter Schuyler,
Major Dyrk Wessells
Capt[n] James Wymes—
Jan Janse Bleeker Recorder.
Hendrick van Ranslaer,
John Cuyler,
Jan Vinhagen,
Albert Ryckman, and
Wessell ten Broek assistants.

Expresse sent by several of the Schaahkook Indians who are making a settlement in the Lake neare Canada, at a place called Winooskoek by an Indian named Callolet, the 30th June 1699.

Brother Corlaer.

Wee doe acquaint you that two of our Indians three Squaas and two Children went out Beaver hunting last winter, who are not yet returned, and that we have suspicion the Boston Indians might have killed them, being some of our Indians mett some Boston Indians upon the Road, who told our Indians to keep off from their coasts, otherwise they would kill them.

Brother Corlaer—Wee must tell you there is a great feare among our children, because they have caught but a few Beaver to pay their debts, and when they come home, your people doe threaten and strike them for Beaver, which may occasion their departure, pray lett that be no more done for the future.

Brother Corlaer.—Last yeare our corn was scarce by reason of high waters, and what was left most part thereof your people took from us, which caused our Wifes suffer for it in Winter for want and this yeare there is but little prospect of a better crop, doe therefore desire you would forbidd your people to take our corn and cloathes from us—

[1] Onion river, Vermont, was called by the Indians, Winooski. *Williams' History of Vermont*, 31. It falls into Lake Champlain, a little north of Burlington.—Ed.

Brother Corlaer. Schaahkook has been appointed by all Governors for our dwelling place, where a tree is planted to cover all our people, but the feare among our young men, for to be troubled by your people to whom they are indebted, being, they have caught soe few beavers, doth startle them in soe much, that they dare not come to their homes, and lay under the shade of the said tree.

Brother Corlaer, Formerly at the first settlement of the Xtians here we were of a great number, when we fastned the covenant chain together, first with a Roap, and aftewards with a chain soe that we desire with our hands to continue firmly into the covenant chain—give one Beaver.

Brother Corlaer. Our people having caught soe few beaver last winter which will not answer their debts, soe that they are affraid to come home, but lye in the lake at a place called Winooskeek, where they formerly have dwelt, Doe desire when they doe come that no hurt be done to them—Give one Beaver.

Brother Corlaer. Wee would not have you to take ill thoughts that we should leave you, or that our people should goe to live at Canada or Ottowawa, they only intend to stay at the said Winooskeek for one yeare to hunt thereabout for beaver, to pay our debts when we come home, for if we come now while we have no beaver, we shall but run more in debt—Give one Beaver skin.

Answer to the Messenger sent by the Schaahkook Indians from Winooskeek where they make a settlement.

Children.—

You tell us that you are under such great fear for the Christians here, being you say, you have caught but few Beaver, soe that it can not pay your debts, and that then, they doe threaten, strike and take away what you have, which might occasion your departure.

We must tell you that you have no reason to feare, being it alwayes has been prohibited by the Governors, that you should not be molested but to pay your debts freely, and if any one took any thing from you against your will or abused you, you were to complain to the Magistrates for Justice which never has been denyed you.—

Children—As for your making a settlement in the Lake at Winooskeek we are ashamed to heare you propose such an article, since but last summer when you renewed the Covenant chain with His Excell^{cy} the Earle of Bellomont, you desired of His Excell^{cy} to appoint Schahkook your former dwelling place for your settlement againe, which His Excell^{cy} granted, and you did heartily accept of—Therefore, Children, let us advise you to be true subjects to the Crown of England, and not to creep so neare your late Ennemy for a settlement, but return to your own habitation with all speed—though you have but few beaver to pay your debts, you need not fear that any harm shall be done you by any person, but pay honestly what you can.

Lieutenant-Governor Nanfan to Colonel Schuyler.

[New-York Papers. Bundle, H. I. K. H 45.]

New York July the 8th. 1699.

Sir. I received your letter concerning the Schahkook Indians, with the conference inclosed, which hath been read in Counsell and approved of. I desire you will send some well qualified messenger to the said Indians from Albany, together with the said William Robie, to assure the Indians that they shall not be troubled or molested by reason of their debts, and to advise them to return to Schaahkook as soon as possible. And pray positively forbidd all Handlers[1] and others, who they may have formerly contracted debts with any way to molest them or disturb their return by beating them or taking from them their beaver, corn, or what else they may bring with them, but to suffer them to pay their debts as they shall see occasion—I noe way doubt the prudence of yourselfe and the other Gentlemen Commissionated by His Excellcy in this important affaire.

Lieutenant-Governor Nanfan to Governor de Callières.

[New-York Papers. Bundle, H. I. K. H 46.]

3 July 1699.

Sir. I take this opportunity to acquaint you that on the 16th past His Excellency the Earle of Bellomont imbarked for Boston, to take upon him the Administration of his other Governts in New England during whose absence the chief command of this province is under my care which is alsoe the reason I give you the trouble of these lines by . . . . . whom I have sent expresse to make demand of . . . . . detained by you prisoners contrary to the articles of peace concluded between our great Masters the Kings of England and France.

I am not a little surprised that in a matter of such justice wherein the honor of the French nation is soe much concerned there should have been such a delay and refusall made of the just demands of my Lord Bellomont for the surrender of these prisoners—

I have consented that some of the Indian Sachims should goe along with those Gentlemen I have appointed for this service, whom I desire you to treat civilly as subjects to the Crown of England in strict amity with your great master the French King; I look upon it my incumbent duty to observe the articles of peace and therefore desire you to deliver up those prisoners you have, they were ingaged in the service of my great Lord the King when it was warr, and now since those who were the ennemyes are by a happy peace become friends, all thoughts of warr ought to cease, and our duty to follow, the example of our great Masters, who in Europe preserve the peace they have made with great amity and friendship.

[1] A corruption of the Dutch word *Handelaers*, Traders, Merchants. — Ed.

Instructions of Lieutenant-Governor Nanfan to the Messengers to Canada.

[New-York Papers. Bundle, II. I. K. H 47.]

Instructions for those who goe to Canada.

After you have delivered my letter to the Governor of Canada acquaint him that it is very surprising that they should pretend to keep prisoners belonging to the Crown of England after so solemn a conclusion of peace between the two Crowns of England and France, which peace hath been inviolably observed in Europe by the two great Kings of England and France who are also in perfect amity and friendship.

You are also to insist that those Indians detained are the subjects of the Crown of England and have ever been under the tetelage of this Govern[t] ever since the first settlement and they and theire ancestors did never own or acknowledge any other Soveraign than His Maj[ty] the King of England — Their habitations and Castles are to the westward and southward of the lake to which the French can challenge no right, the subjects of the Crown of England extending their bounds from the Eastward of Pemyquid soe far west as the Cape of Florida, upon the main continent of America and of which they have had an indisturbed possession as well as a right and that before the French had any settlement upon this continent soe that to the westward of Pemaquid the French can not justly challange any claime any Dominion and therefore can claime no title to those Indians. — Acquaint them also that there are new Commissioners appointed by both the Crowns of England and France, who are treating about the adjusting the limits and bounds of the dominions of each crown in America, which will conclude both nations, soe that the detaining or the releasing of these prisoners, will not give either a right but only what shall be concluded at that treaty. —

One of the reasons assigned for the beginning of the warr was, that the French had incroached upon the right of those Indians as subjects to the Crown of England, since which the French have withdrawn their forces from Oniagro ettc. soe the dominion of those Indians, being now the possesion of the Crown of England, must be the undoubted right until the same be otherwise determined by the Commissioners now in treaty for that purpose. —

You are therefore to demand the delivery of those prisoners as subjects to the crown of England according to the articles of peace and if they either evade or delay to deliver them, you must tell the Governor, that I will complain to the King my great Master of the violence that is done to the Articles of peace by Mons[r] de Caliere in detaining the King of England's subjects which peace is punctually observed by the French King in Europe, you are also to tell him how just this Govern[t] has been in observing the peace, by sending them from time to time their prisoners soe soon as they came to hand without any hesitation, and now have brought with you what other prisoners remained with the Indians, that he may perceive with what strictenesse and affection I doe observe my great masters orders, and that I doubt not but that the justnesse of his great Master hath directed him to doe the same, therefore again demand the surrender of those Indians, belonging to the . . . . . under the dominion of our great King of Eng[ld].

1699. June

Message from Onondaga and the Answer thereto.

[New-York Papers. Bundle, H. I. K. H 48.]

Albany in the City Hall. 12 July. 99.

PRESENT—Coll. P. Schuyler Esq[r]
Major D. Wessells,
Capt[n] James Weemes,
Hend[r] Hanse Esq[r] Mayor,
Jan Janse Bleeker Record[r]
Albert Ryckman and
Jan vanhagen Aldermen.

Information given to the Sachims in Onnondage by a French Indian called Segowane lately come from Canada, which being sent here by a Sinneck Sachim to acquaint His Excell[cy] therewith. Sayes

Brother Corlaer.

That after the said French Indian haveing been some time in Onondage he said, I am wondered you doe not ask me for news being I lately come from Canada, I have news to tell you; My brother was killed by the french Indians last yeare and now I care not how it goes, therefore I come to dye with you for it is certain truth that the Governor of Canada will come here when the Indian corn grows ripe, to destroy you all and that you do not know what correspondence Corlaer and the Governor of Canada keeps, by sending letters daily to one another, for when the Governor of Canada comes up with his army, Corlaer will also come up with an army to meet him under the pretext of assisting you but to the contrary will joyne with the Governor of Canada to destroy you all, and you will find it just soe as it was when the English in Virginia had peace with the Canastogue Indians who had warr with you, and when the English heard you were coming against the Canastogues, they instead of assisting those who were their friends came and joyned with you and killed them and destroyed their Castles.

An answer given to the above information

Brethren.

As for the story which this Indian called Sagawane brings into your country we know he comes from Canada, where they are continually raising such ill arguments and thereby contrive to make you uneasy and to give you troublesome thoughts—Wee doe tell you plainly that it is all false, and doe assure you that Corlaer sends noe letters there, but what is for the good of your Country therefore we would not have you to harbour any such ill thoughts of Corlaer, for you can not say since the covenant chain was fastned or before that he ever in the least prov'd or seem'd to be anywise untrue to you, but hath always dealt fairely by you, but think on the Governor of Canada, when he invites you to eat with him at Cadaraque and instead thereof took your people prisoners and sent them for France.

Therefore when anybody arrives in the Countrey to spread such false news among you, we desire you to send them to us here.

Governor de Callières to Lieutenant-Governor Nanfan.

[TRANSLATED FROM THE FRENCH.]

[New-York Papers. Bundle H. I. K. H 31.]

Sir,

I have received the letter of the 3d July that you did me the honor to write me, together with the despatch from the King, my master, of the 25th of March, by which I learn that, until the Commissioners who have been nominated to settle the bounds of the territories on this continent belonging to the Kings, our masters, shall have made a thorough examination, his Majesty has agreed with the King of England, that those limits should not form any cause of quarrel between our two colonies. I will execute this on my side, most punctually, and as a beginning, send you back two Iroquois who had been taken on the occasion of Black Kettle's defeat. I am persuaded, Sir, that you will do as much on your part, in order to entertain a mutual good understanding; and as soon as I shall have received by the King's ships, the King of England's letter, I will send it to you; and in case any other orders relating to the affairs of the two Colonies come to my hands, I will communicate them also to you; as it affords me pleasure to coöperate with you on all occasions, according to the orders of the King, my master, and to afford you proofs of the esteem with which I am,

Sir,

Your most humble, and most
obedient Servant,
Chev^{r} DE CALLIERES.

Montreal, 6th August, 1699.

Earl of Bellomont to the Lord Bishop of London.

[New-York Entries, C. 71.]

My Lord

You have been pleased to recommend M^{r} Vesey to me in one or two letters, which you have done me the honour to write to me since my leaving, England, And I paid such respect to your Lordship's recommendation that I prevailed with the Council of New Yorke to joyne with me in settling £26 a year on him to pay the hire of his house, And I resolved to take the Assembly in a good humour and prevail with them if possibly I could to settle on M^{r} Vesey and all his successors in that cure a further maintenance of £50 a year, over and above the £100 a year he has at present. I must observe to your Lordship that before I got the £26 a year allowed him by myself and the Council; M^{r} Vesey and I had a good Correspondance with each other, and I invited him often to dine with me, which commonly passes with men as a token of friendship. And M^{r} Graham the Attorney General told me (as I understood it) from M^{r} Vesey, that he was much melted and overcome with my kindness to him, that he could not but be taken with my moderation in the Administration of the Government, that he wondred how any of his Congregation could be my Enemies, but that he saw plainly their wickedness was such as to make them capable of every thing that was base and unchristian;

And he told the Attorney that he was weary of his life and must forsake New Yorke he was so teaz'd and reproved by the angry party for preaching up a good life and the fruits of it, viz^{t} peace, love and charity and the like; That he medled not with parties; This very declaration M^{r} Vesey came once or twice and made to me, much lamenting and decrying the wickedness of the angry men of his Congregation. One would think that M^{r} Vesey should in common prudence (if he had not virtue enough) continued his respect to me unless the angry men (as he call'd 'em) of his congregation had become better and I worse; and that I had done some gross ill thing to disoblige him. But I do verily believe M^{r} Vesey wants honesty, and is by the angry party brib'd, and your Lordship, I am perswaded, will be of that opinion, when you have received the papers and evidences I send with this letter, which I desire your Lordship will be at the pains of reading, that being rightly informed, you may judge equitably between M^{r} Vesey and me. I shall begin with the Father of M^{r} Vesey to let your Lordship see what education he has had, and under what a sort of father. I send the copy of the record of his father's being try'd, convict and pillory'd here at Boston, for being the most impudent and avowed Jacobite that has been known in America. Then there goes the certificate of the Lieutenant Governour of New Yorke, and the Depositions of M^{r} Walters a Member of his Majesty's Councill, and of Parson Smith, of his praying publickly in Church for M^{r} Dellius deprived by Act of Assembly of his benefice at Albany, for his ill life, In the next place goe the extracts of severall letters from the Lieutenant Governor of New Yorke to me about M^{r} Vesey's insolence openly in the Church, and privatly to the Lieutenant Governor, which I recommend to your Lordships perusal as being extraordinary and needing not any animadversion of mine. Then there goes the depositions of Mary Cross, of John Saunders and Susanna his owne Uncle and Aunts, about christening three or four children of incestuous birth, as will appear by the said depositions, and that notwithstanding the parents continued then at that very time in their wicked incestuous course of life, which I take to be expressly contrary to a canon of the Church, as I have beẽn informed, for I pretend not to be so happy as to be vers'd in that sort of reading. I have figured or number'd the severall papers in the same order I have mentioned them, and now I submit to your Lordship's justice whether such a Minister be to be suffered in such a place as New Yorke, where the people for the most part are disaffected to the King's Government and so apt to faction and sedition. Therefore I expect your Lordship will without any further solicitation of mine examin the truth of this charge against M^{r} Vesey, and when you are satisfied therein, that you will consent to his being immediately deprived of his benifice at New Yorke. I cannot believe your Lordship will countenance a man, so insolent and wicked, as he is, to fly in the face of Government without just cause and provocation.

I come next to give your Lordship a short account of M^{r} Dellius the Minister of Albany, who is lately gone to England to try to make an interest to be restored to his late benefice, but rather the two extravagant Grants of land by Colonel Fletcher to him. I gave the Lords of the Council of Trade and the rest of the Ministers formerly an account of the wickednesse of that man, of being a most impudent lyar in my own hearing, and his being a drunkard and immoral man as can be prov'd by the testimony of undoubted credible persons, and his defrauding the Mohack Indians of their land in a clandestine wicked manner to the endangering of the losse of that and the rest of the Nations of Indians from their subjection to the Crown. If (I say) these articles are of force to blacken M^{r} Dellius and make him odious to all men of vertue, I do undertake to prove 'em all undeniably. There is yet a further Article against M^{r} Dellius; about a month since there came three or four Frenchman from Canada to Albany

to trade, and one of them brought a letter directed to Mr Dellius, but he being gone for England, and the Frenchman delivering the letter (as I guess) to a wrong hand, that was not Dellius's friend, he open'd it, and found it to be from a French woman, who had been some months ago a prisoner at Albany, and was set at liberty by my order, and went to Canada, and the Woman in this letter laments the disgrace of being with child by Dellius, and desires he will send her some relief for her and the child's maintenance. The letter is fallen into the hands of Mr Nucella a Dutch Minister, at a Towne called Kings Towne in the Province of New Yorke, and I believe I shall have a copy of it. I have an account of this letter by three or four several hands from New Yorke, so that I cannot doubt of the truth of their being such a letter. If Mr Nucella will part with it, I will send your Lordship a copy of it, that you may be convinc'd of the lewdness of that Man and see how much he is the better for such Vouchers as Mr Vesey and the rest of those that have made a formal and lowd complaint of me to your Lordship from New Yorke. I can not but fancie the sons of Eli that were destroyed by fire from Heaven were a type of Mr Dellius, his familiarity with the French woman is parallel to the sin committed by those two at the door of the Tabernacle, and his insatiable covetuousness in procuring two such vast grants of land bear a resemblance with their taking up by violence a double portion (or what a flesh fork would bring out of the pot at twice) of flesh, Whereas by the Leviticall Law they were to have but one Forkfull for a Priest's share. If Mr Dellius had been an honest and innocent man, why did he avoid appearing before the Lieutenant Governor and Council of New Yorke when he was summoned to be confronted with the three Mohack Indians (he had suborned) and examined with those Indians. But instead of that abscond and fly out of the country, as you Lordship will see by a Minute of Council of the 21st of June, which I send with the other papers.

Mr Myles[1] and Mr Bridge[2] are good Preachers, I will give them all the countenance and encouragement I can. Our church here is very neat and convenient, but 'tis too small, and Mr Myles tells me a great many more people would come to our church if there were room for 'em.

I am with respect
My Lord
Your Lordship's most
humble and faithfull servant
BELLOMONT

Boston
Septr the 11th 1699.

[1] Rev. SAMUEL MYLES graduated at Harvard in 1684; was inducted, June 29, 1689, Rector of the King's Chapel, Boston, and died on the 4th of March, 1728. *N. Eng. Gen: Register*, I. 134. He was supported by the voluntary contributions of the people. *Coll. of Prot. Ep. Soc.* I. 127.

[2] Rev. CHRISTOPHER BRIDGE was born in England about the year 1671, and on receiving Holy Orders, was appointed assistant to the Revd Mr Myles, March 20th, 1699. He continued attached to King's Chapel until September 1709, when he removed to Rhode Island, where he labored as a Missionary until 1709. In August of that year he received a commission as Rector of the Episcopal Church at Rye, Westchester county, N. Y. He died on the 22nd May, 1719. —ED.

Lords of Trade to the Lords Justices.

[Plantation General Entries, XXXV., (B) 63.]

To their Excellencies the Lords Justices

May it please Your Excellency's

Having laid before your Excellencys upon the 10 of the last month a Representation relating to the seizure of some Pirates in Pensylvania and West New Jersey, and being by daily advices made more and more sensible of the Protection and shelter which such persons finde in his Majesty's Plantations in America, and of the mischiefs that do and may arise from thence, We humbly beg leave to offer unto your Excellency's some account of those further informations that we have lately received of the like kind

The Earle of Bellomont, by a letter dated at Boston in New England the 8 of July 1699 informs us that Capt Kid in a sloop richly laden, having hovered a fortnight upon the Coast near New York, and given notice to the Friends he had there of his arrival he brought one of them, named Emot, along with him to Rhoad Island, and from thence sent the said Emot to his Lordship to treat about his admission & security.

Emot being accordingly come to Boston, told his Lordship, that Kid had left the great Moorish ship he took in India, called the Quidah merchant in a Creek on the Coast of Hispaniola, with goods to the vallue of thirty thousand pounds; That he had bought a Sloop, in which he was come before to make his terms; That he had brought in the Sloop with him several Bailes of East India goods, three score pound weight of gold in dust, and in Ingots about a hundred weight of Silver and several other things which he beleived would sell for about ten thousand pound; He said also that Kid was very innocent, and would make it appear that his men forced him, locking him up in the Cabin of the Adventure Galley whilst they robed two or three ships, and that he could prove this by many witnesses.

Hereupon the Earl of Bellomont answered Emot, that if Kid could make his innocency appear he might safely come into that Port. And accordingly he wrote a letter to Kid inviting him to come in, and (upon condition of his innocency) assuring him of protection.

This letter his Lordship sent by one Campbell Kids Country man (viz^{t} a Scotchman) and his acquaintance. And in three or four days time Campbell returned with an answer from Kid full of protestations of his innocence, and expressing his designe of bringing his Sloop into that Port.

Campbell after his returne presented three or four small Jewells to the Countess of Bellomont, as if his Lordship should not have known it; But she immediately acquainted his Lordship therewith, and desired his directions whether to keep them or no. Whereupon he being fearfull lest an appearance of too great a nicety might create a Jealosy in Kid or his friends, and so prevent what he aimed at, advised her Ladyship for the present to keep them. All which matters he writes were transacted with the Privity and Advice of the Council of the Massachusetts Bay.

Kid came according to his letter, and landed there the 1st of July, but by his trifling answers to his Lordship and the Council upon severall examinations; By the endeavours of his friends Campbell and Livingstone (who upon notice of Kids intentions was posted thither from Albany) to imbezel the cargo that was aboard the Sloope; By intimations given his Lordship

that a present of one thousand pounds value in gold dust and Ingots was designed to be made to his Countess And by Livingstons peremptory application to his Lordship for the discharge of a Bond and Articles which it seems he had entred into as security for Kid upon his expedition, accompanied with threats that unless those securities were immediately given up, Kid would never bring in the forementioned great ship that he had left on the Coast of Hispaniola his Lordship finding it necessary to Act more openly, caused Kid upon the 6th of July to be seized and committed to prison. And then at the Councill Board delivered the Commissioners appointed to take charge of the Sloops cargo, and to make inventories thereof, the forementioned Jewells that had been presented to his Countess.

His Lordship further adds that those commissioners were preparing inventaries of every thing accordingly; That he fears lest Kid should yet escape, or be let escape out of that Goale, as one Bradish a notorious Pirate and another had lately done, with the consent (as is beleived) of the Goaler; That as the law stands in that Country a Pirate cannot be punished with death; And he thereupon desires directions what to do with Bradishes Crew, as also with Kid and those men of his that he had taken.

He adds likewise, that he had received advice from New York of the arrival of the ship Nassaw commanded by Giles Shelly, mentioned in our foresaid Representation of the 10 of the last month, by which voyage it was said the Merchants had cleared thirty thousand pounds; that he heard there were two hundred Pirates at Madagascar when that ship came from thence who intended to take their passage for America in the three New York Vessells mentioned also in our foresaid Representation, and in a former of the 19 of October 1698; that at the time of his writing a great ship had been seen off that Coast about a week together, which was supposed to be one Maise a Pirate returned with great wealth from the Red Sea; That there was also then a Sloop at Rhoad Island believed (by seamens free spending of their Gold on shore in the day time, and returning on board at night) to be likewise a Pirate; And that he could do nothing towards taking either of the said ship or Sloop, for want of a man of War; But that he was manning out a ship to go in quest of the Quida Merchant left by Kid (as he said) on the Coast of Hispaniola, which by his account of the cargo was computed to be worth Seventy thousand pounds.

Concerning Kid we have also been informed by the President and Council of Nevis, that he having applied to the Governor of St Thomas (a Danish Island) for protection and being refused it, sailed to an Island called Moona, between Porto Rico and Hispaniola, and in the way meeting with one Henry Bolton (in a large Sloop) prevailed with said Bolton to go to Curasso to buy him provisions, and after Boltons returne bought his sloop of him, which he laded with the finest of his goods and sailed in her towards New Yorke, leaving Bolton in possession of his ship and the remaining part of his goods to act (as was said) as Attorney for him till his returne. But that he first sold 120 or 130 bales of Muslin to one William Bourke an Irishman which having been carryed by said Bourke to St Thomas were there seized on tho' afterwards upon his giving Security for five thousand peices of eight, Bourke had them againe and sailed therewith to Barbadoes

We have also received advice from Colonel Blakiston Governor of Maryland, that he had seized in that Government one Theophilus Turner one of the Pirates brought from Madagascar, by Shelly aforementioned, who upon hopes of pardon had made three depositions (which Colonel Blakiston has accordingly sent) relating to the Pirates that he knew or had heard of, Upon which we crave leave to observe to you Excellency's that the number of Pirates in three ships

that he had knowledge of, and upon the Island of S[t] Maries and Madagascar when he came from thence, amount to at least four hundred, besides those brought back by Shelly and all others that he might not have heard of.

We have likewise received advice from Colonel Winthrop present Governor of the Colony of Connecticut, that they had there in Custody ten of the seamen (or Pirates) who had run away with the ship Adventure of London (Captain Gullock commander) to which they belonged leaving him on Shore at Polonis in the East Indies, and having brought the said ship upon the coast of New England there sunk her: Which men are humbly observed to your Excellencies are another part of the same Company which the Earle of Bellomont (as aforesaid) call's Bradish's crew, the said Bradish having been the Chief of them.

And we have further been informed by letters from Colonel Webb late Governor of the Bahama Islands dated at Newcastle in Pensylvania the 26 of June last, that being come thither in a Briganteen (called the Sweepstakes, mounted with Six Guns well fitted with small Arms and all sorts of amunition, and richly laden for his own and other mens accounts) in order to proceed on for England some of the seamen belonging to her having consorted (as is supposed) with other Pirates that they found there, whilst he and the master were on shore had run away with the Briganteen and Cargo, and that it was uncertain whither they might tend.

And now having understood that your Excellency's have already, upon our forementioned Representations, been pleased to give some directions about persons seized or which shall be seized for Piracy in the Provinces of the Massachusetts Bay, New York, New Hampshire Pensylvania and East and West New Jersey; Yet considering further the continued groth of Piracy which calls for some thorow and effectual remedy, the wide disposition of Pirates already through many of his Majesty's Plantations the further spreading of them into others which may justly be apprehended when they come to understand to what places the directions which they have reason to fear are not extended, the want of Laws in some places for the punishing of them, the insecurity of the Goals in many places, and the great partiallity and favour of the people towards them almost every where, (of which we have lately had a notorious instance in some tryalls in Rhoad Island) We humbly crave leave to offer unto your Excellencies that all the Pirates which have been or may be seized in any of his Majesty's Plantations in America, whatsoever, be sent hither together with the evidences upon which they have been or shall be seized, and which may be of any use for their conviction here that so they may be tryed and punished according to law, with such regard to the numbers that may be taken and the safe Custody of them in their passage hither by sea, as to your Excellencys shall seem necessary And that the Governors or Commander in chief of all his Majestys said Plantations be likewise directed, upon any occasion that may offer to insinuate in the best manner they can to any Pirates not in their power that those who shall be fowardest to surrender themselves and most ingenuous in their confessions may have the surest grounds to hope for his Majesty's mercy.

We also further humbly offer unto your Excellencies that the Earle of Bellomont may be particularly direct to use his utmost endeavours that the Jaylor of Boston in New England be punished with the utmost Severity of the law for the Escape of Bradish aforementioned And that if the law of that Colony be defective in that point he endeavour to get some more effectual Act past there for the preventing the like Mischief for the future Which provision of effectual laws

to prevent the escape of all Prisoners we humbly conceive may be also fitly recommended to the Governors of all his Majesty's Plantations respectively.

All which nevertheless we most humbly submit

Signed PH: MEADOWS
Jno POLLEXFEN
Jno LOCKE
ABR: HILL.

12 Sept 1699.

Earl of Bellomont to Secretary Popple.

[New-York Entries, C. 81.]

To Mr Popple

Sr

I am forc'd to trouble the Lords of the Council of Trade with long letters once more, because I give particular accounts of my three Governments. Mr Weaver being made Collector of New Yorke, I have appointed Mr Champante son of Sir John Champante, Agent for the Province of N. Yorke if he will accept of it. He is an honest ingenious man. And I desire you will instruct him in the business of the Agency, and lett him have a sight of such papers as are now, and were formerly sent over to you relating to these Provinces, I am concern'd with; Wherein you will much oblige,

Your most humble Servant

Boston September the 15th 1699. BELLOMONT

I desire you will please to let Sir Henry Ashurst have a sight of my letters to the Lords about the affaires of this and the Province of New Hampshire, if he desires it. He is Agent for both the Provinces I know, And I should have sent him copies of those two letters but I have not been able to get them copied; The Master of the ships presses to be gone, and next Monday, God willing, I shall set out for Rhode Island.

I send you the Speech of Mr Cranston Governor of Rhode Island to the Assembly there about a fortnight since, which you may please to shew to the Lords of the Council of Trade as a Specimen of the Temper of that people. 'Tis an original for Insolence and Nonsense. I do not mention it in any of my letters to their Lordships, because I mean to send that and all other Accounts of that Government and Island at my returne from Rhode Island whether I am to goe within two days, by a ship that will sail hence to England about that time I shall return hither. But that I know that Government and People to be the most piraticall in the King's Dominions I should not much care to execute this Commission sent me by Mr Secretary Vernon, for to be sure I shall have a Million of curses.

I desire you will procure the reading of my letter to the Bishop of London, to the Lords of Trade and the Evidences that belong to it, that they may be made sensible of the knavery of Mr Vesey the Minister of New Yorke and of Dellius.

Be pleased to send a copy of my letter of the 17th of Aprill about Navall Stores to the Lords of the Admiralty.

Commission of John Champante, Esq. to be Agent for the Province of New-York.

[New-York Entries, C. 83.]

Richard Earle of Bellomont Captain General and Governor in Chief of His Majesty's Province of New Yorke and the Territories thereon depending in America, To all unto whom these presents shall come Greeting &c. KNOW YEE, That by and with the Advice and Consent of the Councill of the said Province, I do by these presents depute, constitute and appoint John Champante of London Esq^{r} to be Agent for the said Province of New Yorke, giving and hereby granting unto the said John Champante full power and authority to appear on behalf of the said Province and the Government thereof at the Court at Whitehall or else where within the Kingdome of England, and to do, say, transact, negotiate and mannage the publick affairs of the same which now are or at any time or times hereafter shall be presented laid or in any wise depending before His Sacred Majesty or any of the Ministers of State, in as large and ample manner to all intents and purposes as at any time heretofore has been given and granted to any former Agent or Agents appointed for the said Province; Hereby ratifying and confirming all and whatsoever the said John Champante shall lawfully act and doe or cause to be done in and about the execution of the premisses, pursuant to the Instructions herewith sent him, or to such further and other Instructions as he shall receive from myself or from the Lieutenant Governor or Commander in Chief of the said Province for the time being in my absence out of the said Province. In Testimony whereof I have caused the Publick Seal of the said Province of New Yorke to be hereto sett and affixed at New York the 18th day of September, and in the Eleventh year of His Majesty's Reign, Annoque Domini 1699.

M. CLARKSON Sec^{y}

Earl of Bellomont to the Lords of Trade.

[New-York Entries, C. 85.]

To the Right Honorable the Lords Commissioners for Trade and Plantations.

My Lords,

I have been thoughtfull about what was the subject of my letter to your Lordships of the 17th of Aprill last, which was the making and furnishing of Navall Stores for the King and the Nation of England from the Province of New Yorke, whereof I have every day a greater confidence and certainty as to the performance, with this difference only, that upon further inquiry, I find the 1000 Soldiers proposed in my said letter, will, if I can bring them to worke with any tollerable pains, fully answer the yearly quantity of those species viz^{t} Pitch, Tar and Rozin, that the King's Navy and the Nation of England will require; tho' it should amount to tenn or twelve thousand tons a year. When I was at Pescataway, hearing there was a man near that place that made Tar, I sent for and talked an hour with him, he told me he with his own single labour made a barrell of Tar per week (which is at the Rate of six tons and a quarter per year) and that where there is a number of hands to help one another a much greater

quantity would be made in proportion & as the produce of each man's labour. As a further proof of the faisibility of this undertaking, about six weeks since, viewing the clearance of a ship that came hither from Carolina, and finding among the rest of her lading she had brought 90 barrells of tar from thence, I was curious to know what it cost there upon the place. The Master told me it was made up in the country and cost him 7 shillings and 6 pence p^{r} barrell and one shilling p^{r} barrell the boating it down a River to the place where the ship lay: which in all is 8 shillings 6 pence per barrell and consequently no more than £3. 8. 0 per Ton. This was a demonstration to me that a number of hands could manufacture a far greater quantity, than would hold proportion with a single man's labour; otherwise that country (which is a very late or new Colony and where consequently labour must be at least as dear as it is in the three Provinces of my Government, which is 3 shillings per day to each labouring man) could never afford tar at so cheap a rate. My inquiry went further yet, for I sent to speak with some Merchants and Seafaring men to inform me about the Carolina Tar, and they assured me it was rather better than the Norway tar and that the people of Carolina had the art of correcting that hot quality in it, which burns the rigging of ships, and which was the fault found with the tar that was made in New Hampshire and sent to England. Here have been severall parcells of tar sent hither from Carolina since my being here, and I find they export a pretty good quantity of it yearly to the other Plantations.

The scheme I sent your Lordships in my letter of the 17th of last Aprill was a first essay or a rude sketch, but I have since that refin'd upon it, and hope what I now write by way of supplement to that letter will deserve your Lordships approbation and furtherance.

My first position viz^{t} that Pitch Tar and Rozin can best be made and afforded from the Province of New Yorke, is, I think, so manifest that it will admit of no dispute. In the next place that Soldiers at 12^{d} per day will be the fittest to be imployed in the providing of the said stores is as evident, because all other labouring men will have 3 shillings p^{r} day, besides too let it be considered that that number of soldiers is a necessary guard for the Country, if we will put these Provinces in a condition of defence against the French of Canada, who are said to have 1500 men in pay in time of peace as well as war. So that this proposition of imploying soldiers has a double end and advantage, viz^{t} The security of these Provinces and the Provision of the 'fore mentioned stores. In my letter to your Lordships of the 24th of last August; I propose a distribution of the lands granted by Colonel Fletcher to M^{r} Dellius and M^{r} Bayard, to the officers and soldiers after seven years service, in reward of the Soldiers faithfull service and labour in making the said stores. I desire that paragraph in my said letter may be considered, and withall, that if each soldier have at the seven years end 40 acres of land allotted him, he will not be one single farthing the richer, unlesse a way be found out to enable each soldier to build a house buy necessary furniture for that house, and to buy likewise two or three cows, a few sheep, and a horse or two to begin the world withall. This therefore as the last and most essential part of scheme for the soldiers incouragement, and without which all the rest is but meer chimera. I will now propose a sure method, for I have already proposed 12^{d} per day for each soldier, which is the least that can be allowed them, for they will require better diet than they have at present, and will wear out much more clothes, and I will so husband this pay of theirs for 'em, as to sequester and set apart 12^{d} p^{r} week out of each man's pay, which I will get so turn'd and managed in Trade that I make no manner of question at the 7 years end to improve that 12^{d} per week to be £50 or £60 to each soldier, and for that

money a man will have a comfortable little house built with necessary furniture two or three cows, and a couple of horses to begin his husbandry with. Besides that this will be an Act of humanity to provide for poor Englishmen & Soldiers, that otherwise must starve in their old age and die in a ditch as many of them do, when they grow unfit for service; It will also be a sure and quick way to people that part of the Province fronting towards Canada, where there is not at present so much as one single family. And lastly this care of the soldiers will be both a credit and incouragement to the service. If it be doubted whether the 12^{d} p^{r} week deduction may be so improved in seven years as I have said, nothing is plainer I think than the possibility of it, considering the often returns in Trade; And that there should be no hazard to these men and their stock, I would ensure every shillings worth of their concernes both outward and inward. I say this more upon observation of the advantages made in Trade by the Merchants of New Yorke, than upon experience for myself; for I protest solemnly to your Lordships I never have been concern'd directly or indirectly in Trade since my coming into America, more than that I sent soon after my coming to New Yorke, and bought two pipes of wine at Maderas, and about half a year ago I sent for two pipes more which I have not received.

My thoughts have been so at worke about Naval Stores and Masts for the Kings ship's, That understanding last spring from two honest Dutch men that had found out a parcell of vast pines on one of the late grants of land by Colonel Fletcher to M^{r} Dellius, which they said were big enough for masts for the biggest ship in the world; I resolved to take an account of them, and for that end sent M^{r} Schemerhoorn, one of the Dutchmen that discovered them to me, and with him John Latham an able shipwright, who learn't his Trade in one of the King's yards in England, to view them, and to take a survey of all the woods in that part of the Province, I mean to the Northward of New Yorke up Hudson River, The Mohacks River, and along the side of Corlaer's Lake where Dellius's largest grant was. And by my Instructions Latham was to report what trees he found fit for Masts, what Pitch Pines for making Pitch, Tar and Rozin, and all other timber fit for building Ships of War, as beams, planks, wale pieces and knees; Upon their returne, which was just a month ago, they sent me the journal of their travel in the woods which journal goes (N° 1) and is signed by M^{r} Schermerhoorn and M^{r} Latham. Then there goes John Latham's report (N° 2) which he sent the next post after he sent the said journal. I also send the Lieutenant Governor of New York's Proclamation forbidding the cutting any of those great trees fit for Masts for the King's Ships which goes (N° 3). But in the Province of New Yorke people little mind Proclamations or Laws either, I am glad to find there are pines of 11 & 12 feet about, for either of those sizes is big enough for a first rate ship, as I am informed, and I am satisfied the Trees might be floated down the great fall (which I have been at) and then they will be the cheapest in the world, for they may be floated all down Hudson's River to the Ships side that take 'em in to carry them to England. In Summer when there is not a flood in the River, I grant it would hazard the breaking such heavy trees to let them tumble down that great fall, but in Winter I cannot believe there's the least hazard. I stood looking a good while at that fall. It is at least 600 yards broad, and in the highest place about 50 foot high, 'Tis eight miles above Albany due North, The River when I was there was shallow for about a mile below the fall and rocky except just under the fall, which the people that were my guides assured me was six fathom deep, and the mighty and continual fall of water seems to have made that cavity in the Rock, for that it was solid rock I could plainly perceive: to

be sure the seasons of the year must be watch'd when there are floods in the River, and then I am confident those trees may be safely floated especially if the water be so deep at the foot of the fall as I was told, for then the depth of the Water will break the fall of the Trees, besides there is an art to save one of those great trees from breaking with it's fall by binding lesser trees, about it.

I have been the more particular in this account of the conveniences for Naval Stores and Trees fit for Masts for the King's ships, because I intend it shall be the last time I will trouble your Lordships on this subject, unlesse you approve of and incourage it. But if your Lordships like the thing, and will send me your commands about it, I will proceed with the few soldiers I have to work with all the vigour I can, and hope you will order recruits for the four companies forthwith, if you think it best to prosecute this designe by degrees, but if your Lordships be satisfied of it's faisibility I hope you will send 800 men to make up the 1000 men proposed, Tho' I fear our four Companys will not afford 200 men able to worke.

On the road as I was returning hither from Rhode Island, I was met by an expresse from Albany with a letter from M^{r} Livingston and Colonel Schuyler which goes (N° 4) and inclosed was a message sent by our Indians, which message is (N° 5) it seems the remote Western Indians, where I formerly writ to your Lordships, Monsieur de Tonti had built a small fort, and had a French garrison, have lately killed and scalp'd five of our remotest Indians called Sinecas, upon which they came to Albany to complain; Your Lordships will see by M^{r} Livingston's and Colonel Schuyler's letter they seem to advise my complaining to the Governor of Canada of this Act of hostility done upon our Sineca Nation; but I do not think that proper at all, for should I apply to him by way of complaint, it would be construed a recognition of the French King's Sovereignty over the Western Indians, and the French are subtill and sharp enough to make that use of it hereafter should I give 'em such an advantage. I wish your Lordships would please to write to the Governors of Pensylvania, Maryland, Virginia and Carolina to indeavour by all means to ingage those Nations of Western Indians in a Trade with them. I am sure it is a shame for them to suffer the French to prevail so with those Indians, when they have infinitely the advantage of the French in all respects as to Trade. For the French supply those Indians all the way from Canada which is about 700 miles, and the greatest part of the way by land too. I would willingly have a conference with those Governors about opening a Trade with those Indians, and I would have Philadelphia to be the place of our meeting, because it is most in the Center: But then I must have the King's leave for so doing because that by the King's instructions I am not to leave my Government under the forfeiture of half my Salary and perquisites for that time. If your Lordships approve of this, and will send me the King's leave; I believe those Governors would readily give me the meeting this next summer at Philadelphia.

M^{r} Parmiter the Naval Officer at New Yorke having severall times complained to me by letter from thence, of the insufficiency of the Revenue Act there, which gave the Merchants advantages against the King, I advised him to write his Remarks on the Act and send them to me, which he has done; his letter on that subject goes (N° 6) and his Remarkes (N° 7) and thó I formerly sent your Lordships the written Laws of New Yorke passed the last Session of Assembly, yet I now send them printed, because M^{r} Parmiter has made some little marks on the Margin of the Revenue Act, which stands first in the Booke of Laws; The said Book of Laws goes (N° 8th) I beg your Lordships will please to direct the carefull perusall of that and

the rest of the Acts by Some able Lawyer in England, and afterwards let me have that Lawyer's observations on them.

I formerly writ to your Lordsbips that I would inform you exactly of all the perquisites that did accrew to me by seizures of forfeited ships and goods, which promise I have hitherto perform'd, but have not of late had any benefit of that kind, Thó severall seizures have been made, at New Yorke, but wee loose all that's seized for want of Law in the Atturny General or something else. So that the Custom House Officers are quite discouraged, and the 300 Miles that I am from them, do not deliver me from the trouble of their complaints. The Ship Hester that I ordered to be seized and brought from Perth Amboy was condemn'd and sold by Inch of Candle at New Yorke, but neither the King nor I as Governor had a shilling by that seizure, for the Master swore the Seamens wages amounted to more than the price the ship sold for, and M^{r} Graham the Atturny assured me it was Law, that in cases of that kind the seamen were to be paid their wages, and that the ship was a pledg for their wages. I desired him to give it under his hand for law, but that he refused to do. I search'd Molloy de Jure Maritimo and there found in his 2^{cd} Book 3^{d} Chapter and 7th Section of that Chapter, he is positive that a Mariner is entituled to his wages except in the case of Piracy or the like; but perhaps Molloy's Authority is not good, therefore I desire your Lordships will please to consult the King's Atturney General in England in this point, and let me have his opinion therein against another such occasion.

I formerly acquainted your Lordships that Nassaw Island alias Long Island was become a great Receptacle for Pirates; I am since more confirm'd that 'tis so. Gillam a notorious pirate was suffered to escape thither from Rhode Island, and tis believed he is still there, notwithstanding the Lieutenant Governor of New Yorke published by my direction a reward of £30 for his apprehension, and at the same time £10 a piece for two of Kidd's men that escaped from this town to Nassaw Island; the said Proclamation goes (N° 9) I take that Island especially the East End of it to exceed Rhode Island. The people there have been many of them pirates themselves, and to be sure are well affected to the Trade; But besides that they are so lawlesse and desperate a people that I can get no honest man that will venture to goe and collect the Excise among them, and watch their Trade, There are four towns that make it their daily practice to receive ships and sloops with all sorts of Merchandize, tho' they be not allowed ports. To correct this great abuse of unlawfull trade and t'other of harbouring pirates, and also for justifying the due collection of the Revenue, I intend next Spring, if your Lordship approve of it, to quarter a 100 men in the severall Towns in that Island under discreet officers. I know no other way in the world to bring those people to be obedient to the Laws and suppress piracy among 'em; I suppose they will be very clamorous against me but I shall not mind that; If they will not know their Duty, they must be taught it, and I doubt not but the laws and Government of England will allow of my taking that course since no other will doe with that people. However I should be glad to receive your Lordships orders as to the Quartering Soldiers in those Towns.

When the two Scotch ships called the Caledonia and the Unicorne came to New Yorke, they were in a miserable condition, having lost a great number of people on their voyage from Caledonia by famin and sickeness. Upon their first arrivall at New Yorke they applied to the Lieutenant Governor for leave to buy provisions, as appears by their Memorial and the Minute of Council thereupon, both contain'd in one paper and (N° 10). The Lieutenant Governor's letters to me (at least an extract of all that had relation to those Ships and people) desiring

my instructions how far he should proceed in complying with their Memorial, together with my answers alternately set down, all contained in the same paper, goes (N° 11.) I am the more particular in this of the ships from Caledonia, because I apprehend the Scotch that came in them from a starving condition they were in at their first coming, grew very insolent while they were at New Yorke; That which gives me a jealousy that it is so is what M^r^ Parmiter writes in the postscript of his forementioned letter number six; but the Lieutenant Governor has not yet taken the pains to informe me of their behaviour particularly, and only gives me a hint as in the last extract set down in the above mentioned paper number eleven. I have writ to the Lieutenant Governor to inform me exactly about those Scotch, and to explaine the hint he has last given me, and which is last set down in the said paper of extracts, viz^t^ their not playing fair with him; and the next post I expect his answer. Your Lordships will see that I have been cautious enough in my orders to the Lieutenant Governor of New Yorke, not to suffer the Scotch to buy more provisions than would serve to carry them home to Scotland. And if he have suffered them to exceed that, he is to blame. And for any insolences committed by them it had been easy, I should think to have put a check to that by committing the officers and principall passengers belonging to those ships, till such time as they had made satisfaction for any irregularities done by them, and till they had given security to the Government for their good behaviour; There are Scotch enough there to have been sureties for them.

I beg leave to observe to your Lordships that in the Newspaper called the Flying Post, and in that which bears date the first day of last August from London, there is an article of News, which, if it were true, would be a reflection on me, it says that there went five ships at once from hence laden with provisions to the Scotch at Darien. I have enquired of the Officers of the Custom House here, and find there was only one briganteen belonging to one Steel a Merchant in this Town that went to Nevis with Provisions, but not finding a market there to his liking, he went from thence to Caledonia, But this was before my coming hither, and before the King's pleasure was known in that matter, That part of the same article of News which says that I as Governor of Rhode Island stopped a ship there that brought M^r^ Daniel Mackay from Darien or Caledonia, and afterwards suffered her to proceed on her voyage to Scotland, is as great a mistake as the former part of the said Article. The thing was thus in fact; A Briganteen belonging to M^r^ Oliver a Merchant of this town went from hence to Jamaica with provisions, and just as the other Briganteen of Steel's did, missing of a market there, went from thence to Caledonia, but this was long before the King's orders were sent from England and for that reason I advised the Governor of Rhode Island to release the said Briganteen, he having first seized her, and then sent to consult me in that matter, but neither did that Briganteen when released proceed on the voyage to Scotland but refused so to do. So that M^r^ Mackay and his companions were forced to come hither from Rhode Island, and imbarke on a ship that was bound from hence to London. This is the naked truth of the matter.

I send your Lordships the Minutes of Council during the Session of Assembly at New Yorke, which began the 2^d^ of March 9$\frac{8}{9}$ and ended the 16^th^ of May 99.

I also send the Minutes of Council out of Assembly, for the Months of April, May & June 99. I gave your Lordships an account in my letter of the 13^th^ of last May of M^r^ Graham the Atturney's advising Colonel De Peyster a Merchant of New Yorke that he might safely buy the ship Fortune after condemnation, and trade with her. That mistake of M^r^ Graham's has caused a great deal of disturbance to Colonel De Peyster, and the King is like to be pretty much damnifyed, which has been no small trouble to me, for I indeavour in every

thing to manage for the King's best Interest, and I can truly say I prefer his interest far above my own. Colonel De Peyster is a very honest man, and every body at New Yorke was troubled at his losse and disappointment in the purchase of that ship. Your Lordships will see what steps were made towards his relief in the minutes of the 3d and 5th of May (in the first Book of Minutes of Council above mentioned) by me and the Councill, and the House of Representatives, but I found the Acts of Navigation left no room to relieve him, and therefore I rejected the request of the House of Representatives to me to let him load the ship with lumber to some forreign port and there sell her; because I thought lumber was as well merchandise as any thing else. To comfort Colonel De Peyster I writ to him the 2d of August in these following words [I desire you will take all possible care to preserve the ship Fortune, and I will send her to England next Spring with Naval Stores for the King] Colonel De Peyster producing my said letter with the foregoing words in it, to the Lieutenant Governor and Council of New York, they were so easy and good natur'd as to grant him a warrant for the money the ship stood him in, there are two Minutes about that matter vizt of the 15th and 23d of August; they are in one paper and are (N° 12). I have vex'd and fretted at their ordering the payment of the money, which is a great summ in the Revenue of New Yorke. The Lieutenant Governor should not have consented to that payment without an instruction from me, and I had resolved not to consent till I had known your Lordships pleasure in answer to what I writ to you about it in my said letter of the 13th of last May. I have reproved the Lieutenant Governor & Council for their want of care of the King's interest; And all the reparation I find I am to expect is Colonel De Peyster's vouching his Account upon oath which amounts as per minute of the 23d of August aforesaid to £588 New Yorke money, and his securing the ship this winter and delivering her in good sayling order the 10th of next Aprill against which time I will indeavour to provide a loading of ship timber for the use of the King's Navy & so send her to England. Colonel De Peyster had paid £315 for that ship whereof a 3d part vizt £105 which was the King's share of the forfeiture must be deducted out of the £588 and then the King will be looser in the summ of £483 unless by the above expedient of sending the ship to England loaden with ship timber, I can indemnifie the King, which I hope to doe. If there had been law enough in New Yorke to satisfie me that loading a ship in her circumstances with ship timber for the King's use and service, were not against law I could have saved the King £450 sterling which Mr Bridger the Purveyor of Naval Stores paid very lately for the hire of a ship (exactly of the same burthen with the ship Fortune) to transport a parcel of specimens of ship timber from Pescattaway to England.

Your Lordships will find a minute of the 15th of last May in the second Book of Minutes of Councill before mentioned, which was the day before I left New Yorke to come to this place; In which Minute the Clerk of the Council has either through mistake, or a worse motive, made me and the Council order the reimbursing Colonel De Peyster all the money he had laid out on the ship Fortune. I remember the thing perfectly well. Colonel Depeyster urg'd and intreated me very much to take some course to indemnifie him before my leaving the Province. I told him I would befriend him as far as with justice I could; That when the Council met, I would feel their pulse in that matter. Accordingly the 15th May I desired the Council to advise me what in justice they thought, was fit to be done with relation to the ship Fortune, and they agreed that it was just and fit that Colonel De Peyster should be reimbursed out of the Revenue and that some of the Gentlemen of the Council should take care of the ship and make the most of her for the King's advantage. But I told 'em that I had writ to your

Lordships about that matter, acquainting you of the unhappy bargain Colonel De Peyster was advised to, and that till I had received your Lordships Orders, I would not consent that the mony should be ordered to Colonel De Peyster; but I agreed that some Gentlemen of the Council should take care of the ship, and see whether there was the rigging and furniture that Colonel De Peyster pretended. I never yet consented to the Council's ordering any payment of mony, but I signed a warrant for that payment, but in this case there was no warrant signed by me. After all, the ship is a very good one, well fitted and new rigged, and would sell in England for £500 Sterling. And I hope I shall so order the matter by sending her laden with principall ship timber next Spring, that the King will be 3 or 400 gainer; but I could not do lesse than acquaint your Lordships with the whole of this matter to do myself right, that I might not appear ridiculously inconsistent in the said Minute of the 15th of last May, with the account I gave your Lordships but two days before, vizt in my letter of the 13th of the said month, that I could wait your Lordships orders about the ship Fortune.

I brought from England a Commission under the Seal of the Admiralty for trying pirates and pirates goods taken or committed in Connecticut Colony, in the Admiralty Court of New Yorke; And upon hearing that some of Bradishe's men were taken by Colonel Winthrop the Governor of that Colony, I was about to send for them to have them tryed at New Yorke. But Colonel Winthrop prevented me by sending me your Lordships letter to him dated the 21st of March 97/8, together with a draught of the Bill for restraining and punishing Privateers and Pirates, which Bill you injoin him to indeavour to get pass'd into an Act by the General Assembly of that Colony; And in it there are Admiralty Powers to try, condemn and punish with death all such offenders. I call'd a Council at New Yorke upon receipt of that letter of Colonel Winthrop's and we all agreed that by that Bill's being enacted, and the tenour of your Lordships said letter, Connecticut Colony would be exempted from the jurisdiction of the Admiralty Court of New Yorke. The transaction about that matter is describ'd at large in the Minute of the 9th of last April and in the last of the forementioned Bookes. But I do not hear they have yet pass'd that Bill in Connecticut Colony, and the Pirates still continue in prison and untryed.

I formerly writ to your Lordships that I should prefer an honest able Judge, and Attorney General at New Yorke, before a Man of War, and Soldiers, for the suppressing of Piracy and unlawfull Trade; And I am every day more and more confirm'd in that opinion; They are now all in pieces at New Yorke, Mr Parmiter the Naval Officer was bred an Attorney in England, and is said to have read a good deal of Law; and he ridicules Mr Graham for his ignorance in the Law, and finds fault with (and so does Mr Hungerford one of the Collectors) the informations drawn by Mr Graham and all his pleadings; On the other hand Mr Graham meditates to be revenged of those two and setts the Lieutenant Governor against them. And every post I am pester'd with letters and complaints. This I will affirm and maintain, that it were good husbandry to allow £800 or a £1000 a year to a good Judge from England, and £300 a year to a good Attorney Generall, if peace and good order in a Country are to be valued, and if piracy and ulawfull trade are to be effectually suppressed; And lastly if an Improvement of the Revenue to £4000 a year more than it has ever yielded yet, be arguments worth the King's consideration, I propose that the Judge sent over shall serve for New Hampshire as well as for New Yorke, And that the Attorney General shall serve the King in all the three Provinces under my Government. And without them I am like a man manicl'd and fetter'd. I desire your Lordships will please to peruse the petition and remonstrance of the House of

Representatives of New Yorke which I sent your Lordships with my letter of the 27th of last April; there you will find that they complain of the ill administration of the Laws and the perverting of Justice by the Officers and Ministers of Justice, and (which I chiefly observe to your Lordships) they undertake to furnish or provide a maintainance for good and able ones. I know they propose two Judges, but I wish we had one to begin with, of my Lord Chancellor of England's recommending, and an Attorney Generall too of his choosing.

I have prevail'd with Governor Winthrop to seize and send Thomas Clarke of New Yorke prisoner thither; he had been on board Kidd's sloop at the East End of Long Island, and carried off to the value of about £5000 in goods and treasure (that we know of and perhaps a great deal more) into Connecticut Colony, and thinking himself safe from under our power, writ my Lieutenant Governour of New Yorke a very sawcy letter and bade us defiance. I have ordered him to be safely kept prisoner in the Fort, because the Gaol of New York is weak and insufficient, and when orders come to me to send Kidd and his men to England (which I long for impatiently) I will also send Clark as an associate of Kidd's.

I am with respect
My Lords
Your Lordships'
Most humble & obedient Servant
BELLOMONT.

Boston
October the 20th 1699.

P. S. October 30th 1699

The Ship being not yet quite ready to sail, I have the opportunity of sending your Lordships, the Lieutenant Governor of New York's proposition to me in behalf of Thomas Clarke of New Yorke, of his the said Clarke's offer of surrendring all the goods and treasure (which he received from on board Kidd's sloop) to the Government; which proposition of the Lieutenant Governors is contain'd in the Extract of his letter of the 23th instant and goes (N° 13.) And I have advised the Lieutenant Governor to incourage Clarke, and to promise him if he would surrender all the goods and treasure, I would become Advocate for him, that he should not be troubled or prosecuted. Wherein I hope and perswade myself your Lordships will approve of my Conduct. But I have directed the Lieutenant Governor to take the Security offer'd viz^{t} £12000 for Clark's punctuall performance of what he has proposed and also his oath to it.

I send your Lordships an account of the stores of War at New Yorke which goes (N° 14) November the 6th 1699.

I have prevail'd with the Master of the ship to stay 4 or 5 day's for the posts coming from New Yorke, that I might be able to give your Lordships some account of the behaviour of the Scotch from Caledonia; which I believe your Lordships will think verry insolent. The Lieutenant Governor of New Yorke has sent by yesterday's post their whole proceedings with him in 17 severall papers numbred and bundled up by themselves. But as an Introduction and sort of Explanation of the 17 papers, I have sent an extract of the Lieutenant Governor's letter, which is first plac'd in the said bundle. I hope your Lordships will see no cause to blame the Lieutenant Governor of New York's conduct with the Scotch. It was not possible for him to check their Insolence, they were in a capacity with those ships, to force, to insult New Yorke or any other Plantation whatsoever, By a passage in the said Extract about the Attorney, your Lordships I believe will think with me, that there is need of an honest Attorney Generall at New Yorke. The Caledonian settlement is quite deserted, the last recruits sent

thither from Scotland, being dispersed, and most of the Planters gon to Jamaica, togther with their best Frigat called the S^{t} Andrew.[1]

I send your Lordships the Collector of New York's lists of ships cleared inward and outward in that Port from last Lady Day to last Michaelmas. The Naval Officers lists do not come further than Midsummer quarter, which I am sorry for, because of the want of Method, but 'tis not for want of direction and caution from me. I shall send your Lordships very shortly the Naval Officers' Michaelmas Booke. There goes also the Naval Officers List of ships registred in Midsummer Quarter. Colonel Courtland sent me his Accounts of the Revenue unsigned, which for that reason I returned to him again. And upon looking over the King's late Instructions to me countersigned by the Lords of the Treasury, & bearing date the 4th October 1698 which (among other things) direct me to attest all the Accounts of the Revenue of that Province which I (being absent and therefore not able to assist the Council in the Audit of the Accounts as the King's Instructions also direct) durst not venture to do, unlesse I first had a Certificate from the Lieutenant Governor and Council of their having carefully examined the said accounts, and pass'd them, Upon the receipt of which certificate I will attest Colonel Courtland's Books of Accounts, and then forward them to your Lordships.

Messrs. Schuyler and Livingston to the Earl of Bellomont.

[New-York Papers. Bundle, H. I. K. 15.]

May it please Your Excellency:

The Sachims of the five nations arrived here four dayes agoe, and the propositions out of His Maj^{tys} letter sent, by the Lieut^{nt} Governor and Councill was made to them, as allsoe that relating to Pennsilvania.

The Indians were extreamly satisfied, and thank'd your Lord^{p} for your care of them, and promised to come in the springe, to returne their thankfull acknowledgement in the behalfe of all the five nations — This was noe sooner done but an expresse comes from Onnondage with the inclosed message by which Your Excell^{cy} will perceive that those Indians called the Dowaganhaes in amity with the French continue their incursions upon our Indians, and so by that means, will either provoke our Indians to a publick break or else compell them to come & truckle to the French which wee have hitherto prevented—

Wee thought it the best way for expedicion to send an express overland to be with Your Excell^{cy} before the French agents be dismissed, which may prevent your Lord^{ps} sending to Canada; The behavior of the French and their Indians has been intolerable since the peace, wee doubt not, but your Excll^{cy} will by these agents prevaile with the French Gov^{r} to prevent the like for the future — All things else is well here we have dispatched the Maquase and other Indians, as alsoe Onnagonque or Eastern Indians who were well satisfied, and will

[1] A brief account of the Scotch Settlement at Darien, above referred to, and the causes of its failure, will be found in *Holmes' American Annals*, II., 43. — Ed.

induce their three nations to come and live at Skachkook under Your Excell^{cy} Govern^{t}—Soe wishing your Excell^{cy} and my Lady all health and prosperity wee remain with respect

May it please Your Excellency

Your Excellen$^{cy's}$ most humble & obed^{t} serv^{ts}

Pe. Schuyler

Albany 22nd Sept^{r} 1699. R^{t} Livingstone.

Message from Onondaga to the Commissioners for Indian Affairs.

[New York Papers Bundle, H. I. K. I 6.]

Present—Coll: P^{r} Schuyler, John Schuyler,
Major Dyrk Wessells, Alb^{t} Ryckman,
Hend^{r} Hanse Esq^{r} Mayor, Jan Vinnagen Aldermen, and
Jan Janse Bleeker Recorder, Hille Interpretesse.

A message sent by the Sachims of Onnondage to the Gent^{n} appointed to manage the Indian affairs by Agosennenha who arrived at Albany this 21. Sept^{r} 1699.

Who said—Brethren

Aqueenderande and the rest of the Sachims of Onnondague have sent me to acquaint you that the chief Sachim of Sinnekis call'd Cagenquarichton, has been at Onnondage five dayes agoe, to acquaint us that a company of their people, had been out a hunting near their Castle, wereof five were killed and scalp'd hard by their castle this day sevennights by the far Indians, and the said Sinnekes Sachim proposed to the Sachims of Onnondage, if it would be convenient, to goe to Canada to demand of that Govern^{t} what the reason was, why the Dowaganhaes (: Indians in allyance with the French :) came and destroyed them now in time of peace, but the Sachims of Onnondage, were of another opinion, concluded by no means to send to the French, for they knew very well, it was through instigation of the French that this was brought to pass, but by all means to goe to Albany and acquaint His Excell^{cy} the Earle of Bellomont, whom they call Corlaer, with this treatment.

This is the fourth time that the five nations have had their people killed since the peace, three times by the French Indians called Rondax and now by the Dowaganhaes Indians in league with the French of Canada, wee desire to know of Corlaer how to behave ourselves in this Extreamity, for wee can endure it noe longer.

Wee designe to goe out a hunting this winter over the Lake of Cadaracqui and fear that the French again will incite their Indians to fall upon us, therefore desire again that Corlaer will be pleased to demand of the French of Canada what they mean by such continuall breaches of the General peace made by the two great Kings over the great water

This is all I have to say only desire that wee may have an answer speedily of Corlaer about this matter being of great import and consequence.—

I cannot omitt alsoe to acquaint you that by one of our people, that has been a prisoner of Canada who is lately come home, to Onnondage brings us the news, that Monsr Marricour call'd by the Indians Stow Stow is come to Onnondage with a great company of French, to make some proposals there and was got as far as the river Cadaracqui, and that all the Sachims of the five nations are now at Onnondage, who have sent for the Indians from Hunt, to watch the motions of the French, being very mistrustfull of their actions and not without just cause.

The Messenger was answered.

That the Sachims of Onnondage were commended for their prudence in not sending to Canada as Sinnekes proposed but directly hither, about the mischief befallen them lately near their Castles by the Dowaganhaes, that His Excellcy the Earle of Bellomont, should be forthwith acquainted with this matter and that in the mean time, they be upon their guard, and to be sure hold no correspondence or communication with the French or any that might come from Canada to their Castles, but if any French came send them down hither, without entering into any treaty with them. —

Robt Livingstone — Secrty
for the Indian Affaires.

Representation of the Lords of Trade on the Administration of Justice in New-York.

[New-York Entries, B. 483.]

To the King's Most Excellent Majesty.

May it please Your Majesty.

In obedience to Your Majesty's Commands signified to us by the Right Honourable Mr Secretary Vernon and upon consideration of diverse letters we have received from the Earle of Bellomont relating to the want of a good Judge and an able Atturny Genll in Your Majesty's Province of New Yorke, We humbly report to your Majesty that the Earle of Bellomont has set forth unto us the great difficulties and obstructions he meets with from the unfitnesse of the persons at present in those imployments, the consequence of which reaches every part of your Majesty's service there, and the instances his Lordship gives us thereof are so full that we are humbly of opinion, unless he be assisted by persons duly qualified, sent from hence it will be impossible for him to perfect what he has begun in the reformation of those evill practices which had formerly taken root in the said Province, and in which your Majesty has hitherto been pleased to approve of his endeavours.

It is not only the Administration of Justice in the ordinary forms of it, that suffers; but the suppression also of illegal trade and piracy cannot be accomplished without the constant assistance of persons in the foresaid places both honest and able to advise in points of Law.

Upon consideration whereof we humbly represent to your Majesty our opinion that it is of great necessity for your Majesty's service in those parts that two able lawyers of known probity be sent from hence to supply the places of Chief Justice and Atturny Generall in the said Province of New Yorke.

And whereas we find that the benefit accruing by those places (the Chief Justice having no more then £100 and the Atturny General £70. Sterl: p^{r} Annñ. salary) is not a sufficient encouragement for persons fitly qualified for those employments, and are humbly of opinion that a dependance upon the General Assembly there for a further allowance will no ways suit with your Majesty's service in the Administration of Justice against piracy and irregular trade; and seeing it cannot be expected that such fit persons will leave their native country upon so small an encouragement and so great an uncertainty; We do therefore humbly represent to your Majesty that much greater Allowances will be necessary to invite fit persons to accept of those employments, and that they be assured thereof by an establishment here; which extraordinary charge we humbly conceive will be abundantly recompensed by a very great increase of your Majesty's customes here,[1] and tend to the incouragement of fair traders both here and there.

And we do further humbly offer that such Chief Justice may likewise be impowered to officiate as Judge of the Admiralty, and the Atturny Generall as Advocate General (with particular regard to pirates and irregular traders,) not only in New Yorke but also in the neighbouring Colonies, which will likewise tend very much to the great improvement of Your Majesty's Revenue as aforesaid.

All which neverthelesse is most humble submitted

signed STAMFORD
LEXINGTON
Wm BLATHWAYT
Jn° POLLEXFEN
Abr HILL
GEO. STEPNEY.

Whitehall
Decêmb the 14th 1699.

Earl of Bellomont to the Lords of Trade.

[New-York Entries, C. 106.]

To the Right Honorable the Lords Commissioners for Trade and Plantations.

My Lords,

I have not had the honour of receiving your Lordships' Orders upon any of the letters I writ to you at my leaving New Yorke, or since my comeing to this Province, which is a misfortune for me, for I am never so well pleased as when I am directed by your Lordships.

I have now a fit of the gout, which not only hinders me from writing with my own hand, but also from giveing your Lordships an Account of severall things that require your Orders to me how to behave myself for His Majesty's service; Therefore I must of necessity forbear till another opportunity.

I send your Lordships the Collector of New York's Account of the Revenue of that Province from Michaelmas 1698 to Michaelmas last; They are examined and audited, and attested by the Lieutenant Governor and Councill of New Yorke according to the King's Instructions,

[1] Qu? There.

countersigned by the Lords of the Treasury. Colonel Cortland the present Collector writes me word this has been the worst year that ever was known in New York for the Revenue by reason of the great scarcity of Sugar, Rum and Molasses at Barbadoes, and the other Islands and of Wines at the Madera's; for from those Articles the Customes of New York do chiefly arise.

I send your Lordships the Minutes of Councill of New Yorke for the months of July, August and September last; You will find by a minute of the one and twentieth of September that the Lieutenant Governor is instructed by me to grant a letter of denization to Peter Basset a French Surgeon and Protestant, to make him free in the Province of New Yorke, only; wherein I do not apprehend I have transgressed your Lordships orders for that which I understand by your Lordships to be against Law was granting of Generall Letters of Denization. My Instruction to the Lieutenant Governor about that matter is not so plainly expressed in the Minutes as I could have wished, and therefore I send your Lordships an Extract of my letter to him about the said Basset and his answer to that part of my said letter, whereby your Lordships will see what caution I gave him therein; but he takes not the pains to read over all the Minutes of Councill as I doe.

I intended to have sent your Lordships the Muster Rolls of the four Companies at New Yorke and Albany by this Conveyance, but the Lieutenant Governor of New Yorke has not sent them to me, tho' I writ to him very pressingly on the 8th of October last, which is just three months agoe, and twice since, I also intended your Lordships an exact State of the Militia within the three Provinces under my Government vizt The number of Regiments in each Province, of Companies in each Regiment, and of Men in each Company. The State of the Militia in this Province and that in New Hampshire I have ready by me, but I am disappointed in that of New Yorke. I shall hereafter give your Lordships the best Account I can of those matters, and also of the Ports and Creeks within this Province, and that of New Hampshire, having formerly done it as to the Province of New Yorke.

Colonel Romer promised I should have his draughts of the Eastern Coast according to the late survey he made thereof to send to your Lordships by this conveyance, but he has fail'd me too.

I send your Lordships duplicates of my letters by the last conveyance vizt of the 18th 22th 27th and 29th of November some whereof have relation to the inquiry I made into the male administration of the Government of Rhode Island, the originals were carried from hence this day month for England.

I received not the laws of Rhode Island till the 23th of last month, which I now transmit to your Lordships, it seems that Government have taken all this time to prune and polish 'em, and yet after all I believe the World never saw such a parcel of fustian. I have got Mr Addington the Secretary to read 'em over and make some remarks on them which remarks I now send your Lordships. I desire your Lordships will please to observe the Governor of Rhode Island's letter to me of the 22th of last month, wherein he calls it an imposition upon their Government that your Lordships should require a transcript of their Laws, and that I have done the same by the King's command. I did (as the King's Commission and Instructions impowered me) appoint four or five Gentlemen of that Island by an Authority under my hand and seal to call for their Laws and Journalls, and to inquire into the Irregularities of that Government which thing Governor Cranston resents in his said letter to me, tho' I am confident without any just reason; for I cannot find those Gentlemen have in the least abused the power I conferr'd on them, but have acted with all the moderation and prudence that could be expected from them.

Your Lordships will see by three letters of the 23th 26th and 31th of last month, from the Gentlemen I left in commission at Rhode Island, what unaccountable things that Government continues to practise, and there is a strang sort of Act of their Assembly which the said Commissioners takes notice and complaine of in some of their said letters. Mr Secretary Addington also in his remarkes reflects on the said Act particularly.

I send your Lordships two letters of the 5th of October and 17th of November, which I received from the present Governor of Rhode Island and from Mr Walter Clark the late Governour, wherein they complement me upon my behaviour among them in the Execution of His Majesty's Commission and Instructions; I trouble your Lordships with those letters that I may be justified against any false insinuations from that Government any time hereafter.

There have come many complaints to me from the Narraganset Country of great violence done the people there by the Government of Rhode Island since my being there, in levying taxes on them out of all measure and proportion, and without the people's having any hopes or prospect of a due application of their mony. But I tell the people 'tis not in my power to relieve 'em and that they must wait with patience till His Majesty is pleased to interpose His Royall Authority for their protection. That people is much to be pitied, for I looke upon them to live in a state of War while the rest of the King's subjects, live in peace & quietnesse.

I send your Lordships an Act of Assembly past by the Lieutenant Governour and Assembly of New Hampshire for the raising a certain sum of mony to discharge the debts of that Government, and also seven Minutes of Councill as I received them from the Secretary of that Province.

About three weeks ago James Gillam the pirate had like to broke prison, and escaped, somebody having conveyed to him an iron crow of two foot and a half long with a claw the end of it, and two files; he had filed the irons from off his legs, and with the crow had wrench'd out some of the iron barrs of the window, but happen'd to be overheard by the Gaoler and prevented, And I have since had him chained to another pirate which is the only way to prevent his escape; I believe the pirates that are in this gaol, at Connecticut, New Yorke and Philadelphia are at least forty in number, and I would give £100 they were all in Newgate; 'Tis reported here that the Rochester Frigat is sent from England to carry them away to be tryed there, and to be sure they will be alarm'd and will be meditating how to escape; I wish I had received some orders about them, and I could have sent the Frigat that is here with them to England; Captain Crow who commands her seems to be a right honest man, and is very well beloved by his men, and therefore had been fit for conveying the prisoners home; Every body here believes the Rochester is blown off the Coast, and forced to bear away for some of the Islands. The Winter Storms on this Coast are more violent than in any part of the World, therefore there ought to be no dependence on the sending orders directly hither, but Duplicates of those Orders should by right be sent by the way of Virginia and Barbadoes.

Sr William Ashurst writes me word that the arrear of pay and subsistance of the four Companies at New Yorke was cut off to Lady Day last which is Twenty Seven Months. I am forc'd to keep this to myself not daring to communicate it to the Officers belonging to the Companies, nor to the Victuallers that have subsisted them all this while, and who I believe are by this time £9000 out of Pockett upon the Account of victualling, for it would set them a madding; and we should not have a soldier left in a days time. I take the King to be much dishonoured in this treatment of the Officers and Soldiers, and for my own part it is so great a blemish upon my reputation that I must never think of shewing my face more at New Yorke.

The Victuallers will be broke and ruined to all intents and purposes, and I shall be exposed to their reproaches and I fear with some justice too, for had I not incouraged them to victuall the Companies they would not have undertaken it. I desire your Lordships will be pleased to take such a course as that the arrear may be paid, that the Government may be supported, and that I may not be disgrac'd. I send an Extract of Sir William Ashburst's letter wherein he writes me that unhappy news.

Captain Kidd sent the Gaoler to me a fortnight ago to acquaint me that if I would let him go to the place where he left the ship Quidah Merchant and to St. Thomas's Island and Curasçao he would undertake to bring off fifty or threescoure thousand pounds which would otherwise be lost; That he would be satisfied to goe a Prisoner to remove from me any jealousy of his designing to escape. But I sent him word he was the King's Prisoner and I could hearken to no such proposition. But I bad the Goaler to try if he could prevaile with Captain Kidd to discover where his treasure was hid by him, but he said nobody could find it but himself and would not tell any further.

I am with respect
My Lords
Your Lordships most
Boston humble & obedient servant
January the 5th 1699 BELLOMONT

I send your Lordships a copy of my letter to the Commissioners of the Customs.

Earl of Bellomont to the Commissioners of the Customs.

[New-York Entries, C. 116.]

Gentlemen,

I send you the Collector of New York's four quarterly books of Accompts of the Revenue of that Province, which you had had long since if they had not been sent to me with mistakes and not in the method directed by His Majesty's Instructions countersigned by the Lords of the Treasury. Colonel Cortland the Collector writes me word this has been the worst year for the Revenue that ever was known there, occasioned by the scarcity of Sugar, Rum and Molasses in Barbadoes and the other Islands, and of Wines at the Maderas.

I do not for all that dispair of doubling the Revenue of New Yorke when I have rectified the disorders in that Government, and have got a set of honest carefull Officers, which are so much wanted at present that I cannot say there is one single Officer in whose integrety and care I am satisfied. Mr Hungerford who is joint Collector with Colonel Cortland, has of late so strangly misbehaved himself that I am very much ashamed for him, and the rather because he was of my putting in. There was a great intimacy between Mr Hungerford and Mr Parmiter the Naval Officer. And I am told that Parmiter advised Mr Hungerford that by a Clause in the Act of the 14th of Charles the Second, he as Collector had power to compound for seizures of unlawfull ships, and goods without taking notice of the King's share of the forfeiture, or the Governour's. So that Mr Hungerford has made away with a parcel of Elephants' Teeth, and a

great quantity of unlawful goods that were lodged in the Custom House without the privity or consent of Colonel Cortland; and several seizures I heare he made and brought them to his own Lodging, and has compounded for them upon his own terms without taking notice of the Government or any thing else. If I be rightfully informed the goods Mr Hungerford has made away with were worth £1000. He and Mr Parmiter have lately quarelled in a Tavern in New Yorke and threw Candlesticks and bottles at one anothers heads and Parmiter has arrested Mr Hungerford upon pretence of fees due to him for his advice as a Lawyer, so that they two are irreconcileable enemies. All this disorder and a great deal more, I have the vexation to see and indure without being in a capacity of applying a remedy for want of honest men in office.

It seems by mistake the copy of Mr Parmiters bond, which I designed to keep by me was sent to you instead of the original; and I found it not out till now, and now I send it to you, and also Mr Eastwicks bond, Naval Officer of New Hampshire. I writ to you formerly what difficulty I met with in this place where the General Assembly have made the Naval Officers Fees so very inconsiderable that 'tis worth no man's acceptance.

I should write to you of several other things, but that I am at present indisposed with the Goute. I desire you will please to comply with the request I made you in my last letter of sending an honest intelligent man to be Comptroller of the Customes, at New Yorke, and I will make him Naval Officer, and will give him what encouragement I can besides, and I desire he may bring over the King's letter to be sworne of His Majesty's Council of that Province. I have discovered several Tricks in Parmiter that puts me quite out of conceit with him.

I am

Gentlemen

Your most humble and

faithfull Servant

Boston
January 5th 1699.

Bellomont

The King to the Earl of Bellomont

[New-York Entries, C. 79]

To Our Right Trusty and Right Well beloved Cousen Richard Earl of Bellomont Our Captain General and Governor in Chief of Our Provinces of the Massachusetts Bay, New Yorke, & New Hampshire in America, and of the Territories thereupon depending &c. Or to Our Commander in Chief of Our Province of New Yorke for the time being.

William R

Right Trusty and Right well beloved Cousin We greet you well. Whereas We have been informed that several Pirates have been lately seized in Our Plantations in America. And it being necessary that due care be taken for bringing them and all others that may in like manner be seized hereafter to condign punishment; We do hereby Will and Require you to send hither in safe custody all Pirates who are or shall be in Prison in our Province of New Yorke under

your Government at the time of your receiving this direction, and also to send the witnesses and other evidences upon which the said pirates have been seized and which may be of any use towards their conviction here, that so they may be try'd and punished according to Law, And in the mean while to take care that the goods and effects of the said pirates be secured, so that they may hereafter be disposed of as shall by Law be determined.

And as for all other pirates that may be seized in our said Province of New Yorke for the future Our Will and pleasure is that if you judge, by the circumstances of any particular case and by the Laws in force and disposition of the people in Our said Province of New Yorke, that such Pirates may be more speedily and effectually brought to punishment there, than by sending them hither, you take care in all such cases that they be tryed there, and punished according to the sentence that shall be given. But if you judge otherwise, by the disposition of the people, or by defects in the Law there, or other circumstances, you are to send them hither in manner aforesaid; And in both cases Our Will and Pleasure is that you take such care that their goods and effects be secured so that they may be forth coming to be disposed off as the Law shall direct. Provided always that Our Directions herein do not in any wise contradict, alter or interfere with any former Orders or Instructions relating to Kidd or any other Pirate signified to You by Us, or either of Our Secretaries of State; But that you observe and fully comply with the said former Orders or Instructions, notwithstanding any thing herein contained. So We bid you heartily farewell. Given at Our Court at Kensinton the 10th day of February 1699 in the Eleventh year of Our Reign

By His Majesty's Command

JERSEY.

Petition of London Merchants trading to New-York.

[New-York Entries, C. 86.]

To the Honorable the Knights, Cittisens and Burgesses in Parliament assembled.

The humble Petition of several Merchants of the Citty of London trading to New Yorke in America.

Humbly sheweth,

That your Petitioners having about nine months past preferred a Petition to the Right Honorable the Lords Commissioners for Trade and Plantations, setting forth that by severall letters they had received from their Factors and Correspondents in New Yorke, and the relation of severall other Persons then here in England, that by the mismanagement of Richard Earl of Bellomont Governor of that Province the lawfull trade of that Province was discouraged and their effects there in great danger, with several other greviances to which they as yet have received no satisfactory answer, And since the said Earle by his Administration and illegall proceedings has put such further hardships on the Merchants and others the King's subjects there that without redress the Petitioners must be forced to withold their trade thither, especially being informed by severall now here in town Inhabitants of that place that the said Earle has

changed most of the Magistrates and Justices of Peace there, some whereof dare not, and others absolutely refuse to take any affidavits for them, whereby the several arbitrary and unjust proceedings of the said Earle may appear in due forme.

Therefore the Petitioners pray this Honourable House to take their case and the Condition of that Province into their consideration and protection, and to hear and receive such informations as shall be produced by persons here in town from that place, of whose names your petitioners humbly offer a list, when this Honourable House shall see cause to send for them, who other ways dare not appear, least on their returne to New Yorke they may suffer inconveniences for the same. And to take such further course therein as to your Judgments shall seem meet and convenient. And your Petitioners as in duty bound shall ever pray &c.

	Joseph Ormston	Simon Lodwick
	Thomas Adderly	Gerard Santteythuysen
	Thomas Cage	Henry Adderly
	Will. Shephard	John Jackson
	John Blackall	Robert Hackshaw
14 Feb^{y} 1700.	W^{m} Cornelison	Hiddo Lofting

Petition of Messrs. Basse and Lofting to the House of Commons.

[New-York Entries, C. 91.]

To the Honorable the Knights, Cittizens and Burgesses in Parliament assembled.

The humble Petition of Jeremiah Basse Esq. and John Lofting Merchant.

Sheweth

That your Petitioners in 1697 being owners and freighters of the ship Hester, burthen 150 tunns, sent the said ship laden with the product and manafactures of this kingdome to the Province of East Jersey in America, where she arrived on the 26th day of March 1698, and was duly enterd at Perth Amboy a port appointed by the Commissioners of His Majesty's Customs in England under the Directions of the Lords Commissioners of His Majesty's Treasury for the delivery of European Goods within that Colony.

That the cargoe being there unladen and disposed of the said ship continued in the same port till November then next following, when she being refitted, victualled and laden by your Petitioners with Pipe Staves and Provisions ready to sail for the Island of Maderas, and seamens wages paid; Richard Earle of Bellomont then and now Governor of New York in America, usurping an Arbitrary power over His Majesty's subjects of East Jersey, which is independent and no part of the Province of New Yorke, sent down fifty armed men to Perth Amboy to seize the said ship, who forcibly entred on board, desperately wounded several of the Mariners and carryed her up to New Yorke, where he caused an Information to be exhibited in the Mayor's Court of New Yorke, and the said ship to be condemned and sold at £315 New Yorke money, for not entring at New Yorke, the goods she imported to East Jersey, and for not paying the duties imposed on such goods by an Act of Assembly of New Yorke, though no duties are

payable for goods imported to East Jersey, nor is East Jersey subject to the laws made by the Assembly of New Yorke. By which illegal proceedings your Petitioners are not only deprived of the said ship, then worth above twelve hundred pounds sterling, but of the Cargoe then on board, amounting to a further considerable value, and can obtain no satisfaction at New Yorke from the Earle of Bellomont, nor from the officers and soldiers who executed his orders, by reason of his Interest and Authority there as Governor, and his protection of those Instruments of his oppression.

That your Petitioner Jeremiah Basse being lately Governor of East Jersey seized there John Elston and William Merrick who confessed themselves of Every the pirates crew, who your Petitioner as it was his duty, refused to bayle, But the said Earle of Bellomont by a pretended Admiralty power forced them out of your said petitioners hands, and set them at liberty upon insufficient bayle, to the great hazard and danger of your Petitioner and the said Merrick has since made his escape.

Your Petitioners therefore most humbly pray this honourable House to take the premisses into their gracious consideration, and to give them such relief therein as to their justice and wisedome shall seem meet.

And your Petitioners shall ever pray &c.

JERE: BASSE:
JOHN LOFTING.

23 Feb. 1700.

Earl of Bellomont to the Lords of Trade.

[New-York Entries, C. 165]

To the Right Honourable the Lords Commissioners for Trade and Plantations

My Lords,

I was in great hopes I should have received your Lordships' Commands before this time, having understood by marchand ships that left England in company of Capt Foster and Captain Mason Masters of ships belonging to this town, that they two had pacquets for me, but they being not yet arrived we conclude 'em blown off the coast.

We have had an ugly allarm of late of a General Insurrection and Rebellion of all the Indians in all these Provinces, intended to be by this next April or sooner, which has mightily frighted the English, especially those that live on the Frontier Towns and Places, who are forced to be on their Guard and in Arms. What advice I have had by letter concerning the intended rising of the Indians (I mean that is worth transmitting to your Lordships) I herewith send; Colonel Winthrop the Governor of Connecticut's letter to me of the 29th January :99 goes (N° 1.) the Information of Owaneco an Indian Sachem that came enclosed in the said letter (N° 2.)

I have since received a letter from Governor Winthrop of the 13th of this Month, wherein he makes no mention of the Indians, only in a line by way of Postscript he tells me, he sends the Testimonies of two known Indians, viz that of black James which goes (N° 3.) and that of Spuna a Squaw (N° 4.) Colonel Pynchon a Gent. of the Council's letter to me of the 5th

inst^{t} who lives on the North West border of this Province (N° 5.) M^{r} Partridge the Lieutenant Governor of New Hampshire's letter of the 20th ins^{t} (N° 6) with the Information of John Waldron (unsigned) inclosed in M^{r} Partridge's said letter (N° 7.) I also send Colonel Schuyler's letter of the 1st instant from Albany (N° 8.) he sent inclosed in it a letter from Monsieur de Calliere Governor of Canada wherein was no manner of bus'ness, and but a complement of Civility I shewed Major de la Valliere and Monsieur Bruyas the Jesuit whom he sent to acquaint me of his Accession to that Government as I formerly writ your Lordships an Account. Colonell Schuyler's letter telling me that things were well and quiet with our five Nations of Indians, I sent Governor Winthrop a copy of it. Yet I do not at all like that part of Schuyler's letter that the French at Cadaracque Fort are supplied with Provisions from our Onondage Nation; I am against all manner of correspondence and commerce between the French and those Nations, especially the Onondages who have a greater leaning to the French than any of the other Nations, which is supposed to proceed partly from the neighbourhood of Cadaracque Fort which is a terrour to 'em, and partly from the pains the French Missionaries take to proselyte 'em, and at the same time engage 'em in the French Interest.

But that which most induces my belief that there is a General Combination among the Indians to make an Insurrection upon the English, is what one M^{r} Sabin (who lives near Woodstoc about 70 miles from hence) has related, he was here this last week, having come by night that it might not be known to his Indian Neighbours he was here. He seemed to me to be under great Terror and apprehension of the Indians, I got Doctor Cook and M^{r} Secretary Addington to discourse him and report to me what he discovered to them, they being acquainted with him I concluded he would more freely impart to them all he knew about the Indians, They would have him put what he knew into writing, but he refused so to do, saying that would endanger his life shou'd it come to be known to the Indians that are his Neighbours, and further that if his coming to Boston were known to those Indians, they wou'd murther him, therefore he resolved to go home by Night, as he came hither. I doubt not but the Indian that informed M^{r} Sabin of the plot agst the English, meant the French Jesuits and Missionaries under the words cunning Men. The heads of M^{r} Sabins information as they were taken in writing by the two forementioned Gentlemen and deliver'd by them to me goes (No. 9) but they writ them on their memory after M^{r} Sabin parted with them; for he was so very cautious that he wou'd not suffer them to write any relation from his mouth for fear it shou'd be known. Without all doubt the French Missionaries are Industrious to the last degree to withdraw and debauch our Indians from us; and I question not in the least but Mon^{r} de Bruyas the Jesuit that was sent to me by Monsieur de Calliere, and a great many Missionaries besides, are at this time among our five Nations and practising to alienate them totally from their obedience to His Majesty. I sent your Lordships an attested copy of this Jesuit's letter to me from Albany with my packet of the 29th of last November, some observations may be made on that letter, first that he seems cunningly to ask my consent to go among the Mohacks and Onondages, and to induce me to it quotes to me Sir Edmund Andros's great civility to him and the rest of the Missionaries in that respect, but he never told me the least syllable while he was with me at Rhode Island, that ever he had been among our 5 Nations, or intended to go among 'em. In the next place his letter bears date the 13th of October from Albany and came not to my hands 'till the 22th of November and then came inclosed from one Lyron a Frenchman living at Milford in Connecticut Colony, who I believe was guide to the Jesuit and Major de la Valliere through that Country the shortest way to Albany; And 'tis probable there was a design in the

slow conveyance of the Jesuit's letter to me, that by my being so late inform'd of his design of going among our Indians, it might not be in my power to prevent him.

The first account I had of the Indians intending to rise, was from an Indian that came from New Roxbury, a plantation lying towards Connecticut, and it was so little regarded by the Council whom I acquainted with the man's errand to me, that he went away without any reward, or the least thanks for his pains; I well remember he told me there was a rumour spread among the Indians that exasperated 'em above all other things, That, Our King had ordered the 5 Nations and all the Indians in these Plantations to be disarm'd, in order to a total extirpation of them. This Intelligence of that Indian's, and what I have mett with from others has made me reflect on what is given in command to the Governor of Canada by the French King in his letter of the 25th of last March; and to me by His Majesty in his letter of the 4th of April last, about disarming our Indians. I confess I thought it a very unhappy step when I first read His Majesty's letter, and it then run in my thoughts that the French wou'd most certainly improve that part of the King's letter to our disadvantage, and to be sure they wou'd not be such fools as to discover to the Indians that their own King had sent the same orders to his Governor for disarming them too, but our King's letter to me (of which the French Governor has a copy) I believe they have made it their business to make known to the Indians all these Provinces over. Your Lordships may consider whether the Indians wou'd submit to be disarm'd, when 'tis by their Guns they maintain their Families with food, and provide the several sorts of Peltry which is their only Trade, and that alone by which they furnish themselves and their families with cloaths; but besides the foregoing reasons there is a third which seems most prevalent of all with them which is the extream delight they take in hunting (as they call it) with their guns to kill Beavers and other Beasts, but especially Deer and Moose, and the delight they take in it cannot be better conceived than by the vast range they take in the country which is all, (generally speaking) covered with thick woods, and they frequently go 7 or 800 miles on the stretch in their hunting season. In short I believe an Indian has a greater passion for Hunting, than for wife or children, and whoever talks of disarming them will set 'em all in a flame, and loose their affections for ever.

If a speedy and effectual course be not taken, we shal loose the five Nations irrecoverably, I foresee it plainly; the French never applied themselves so industriously as they do now, to debauch them from us; and we on our parts have nothing, nor do nothing to keep 'em in good humour and steddy to us. The Forts of Albany and Schenectady are so weak and ridiculous, that they look liker pounds to impound cattle in, than Forts. Our Soldiers who ought to be 400 men, are not above a 180, and not half of those wou'd be suffered to muster in a Regiment in England, and this for want of Recruits. The weakness of our Frontier places, and of our Garisons makes [us] contemptible to the 5 Nations above all other things; they are a discerning people, and know very well that such pittyful Forts as those two I have named, and a handful of ragged half starved Souldiers will not be able to protect 'em from the French in Time of Warre. Therefore 'tis to be feared the artifices of the French Governor and his Missionaries will succeed, in drawing them over to his Master's Interest.

It falls out very unluckily that Col. Schuyler and Mr Livingston who are the men of best figure in Albany, and are most popular with our Five Nations, and the Principal Men in managing them and keeping them firm to our Interest, are at this time in the highest discontent imaginable, and truly not without reason, for they had both of them good estates, but by

victualing the Companies they are almost (if not quite) broke. I believe they cannot have disbursed less than £,7000 between 'em, besides what Colonel Courtland has disbursed, at York for the Companies there, which I believe is £3000, by this time. If those 3 men knew what Sir W^m^ Ashhurst writ to me of the four Companies being cutt off all their Arrears to the 25^th^ of last March, which is 27 Months, it wou'd make 'em quite desperate: but I dare not let them know a word of it, nor yet any of the Officers. I sent your Lordships an Extract of that letter of Sir W^m^ Ashursts with my letter of the 5^th^ of last month. I appeal to your Lordships whether it be possible to be in worse circumstances then I am, do defend these Countries, if an other War shou'd happen. I have been informed that the Paymaster General of the Army in England neglected to put the four Companies at New York into the Estimate he laid before the House of Commons, thô he was put in mind of it several Times, and thô too those Companies have been for several years upon the Establishment with the Army in England. So that he could not pretend an oversight in that matter. Our 5 Nations of Indians are the only Barriere at present between the French of Canada and Virginia & Maryland, as well as between the French and New York. Now if the French can so seduce those Nations as to turn them against us, Virginia and Maryland will be quite destroyed, and with the greatest ease imaginable 300 of those Indians with their usual rapidity would not leave a planter or plantation in those two Provinces in two months, for the planters live scatter'd, and there is not a town in either of them. James Town which is the only place called a town in Virginia has not above 20 Houses as I have been told, if those two Provinces viz^t^ Virginia and Maryland come to be destroyed, every body knows what a considerable Revenue will be cut off from the Crown.

If I were not so pinioned as I am, for want of Orders, Souldiers and Mony, I would have sent a message to the 5 Nations, immediately upon the first of this allarm, to meet me at Albany in the middle of May. The Messengers should have been ordered to suggest to 'em that I intended 'em a good present, for no People are more sensible to their interest than the Indians. In May I would meet 'em with good presents, and wou'd give 'em a greater quantity of Fire Arms and Powder and Lead than ordinary to make the Report and Notion of our King's ordering them to be disarm'd to appear a French fiction and artifice to inveigle them from us. I would also agree with the Onondage Nation that a Fort shou'd be immediately built where their Castle stands, and would send Collonel Romer out of hand to mark out the ground for it, and a 100 Souldiers should go and fall to work at it. Colonel Romer is of opinion that a good sod Fort well stockaded and palisaded may be made here for a £1,000 or £1,200, that would be a good defence for the Onondage Nation against the French. There I wou'd have a 100 Souldiers constantly in Garison both in War and Peace, and if the scituation be as I have been informed, those Soldiers might be employed in making Tar and Pitch which would have a Water Carriage all the way to York down the Mohack's River and so into Hudson's River. If a Fort were built at the Onondages Castle, it wou'd draw some English Families thither, and then a Minister might live there to instruct those Indians, as they desired. I wou'd if I met the 5 Nations at Albany try to put one Stratagem in practice, I would by mony or extraordinary presents engage if it were possible the Sachems of the Mohack and Onondage Nations to deliver me up all the Jesuits they have among them, who I would send prisoners to England, for without doubt they have been tampering to debauch our Indians from their subjection and obedience to the King, and if the Sachems would be prevailed on to deliver them up to me, it wou'd naturaly follow that they wou'd also discover to me all their ill practises to put the Indians out of love with

His Majesties Governm^{t}, and such a discovery as might rationally be expected, wou'd very well justifye my sending those Vermin to England, there to be punished as they deserve. If I could prevail to have the Jesuits given up to me, it would have one good effect above all others, that the Jesuits would never trust themselves again among those Nations, it would create an eternal implacable hatred between our Indians and them. I proposed the building a Sodd Fort at the Onondages Castle in a former letter to your Lordships of the 29th of last November, but I doubt if you approve it, yet your order may come so late that this Summer will be lost, and then I fear the consequence of such a loss of Time. The truth is, the great distance between England and these Provinces, and the necessity which that causes of my waiting for orders upon all occasions, is very discouraging. I should think a discretionary power ought to be allowed a Governor upon Emergencies, but under such restriction, as that if he could not give very sufficient reasons for his proceedings, then to be accountable to the King for any superfluous charge he should put His Majesty to, or anything else that were irregular; there ought in my Opinion to be an Order from the Treasury Board giving me credit for a Sum limited, and then I draw for mony as the necessity of the service requires, taking up the said mony of the Merchants of New York and giving them my Bills on the Treasury Board or as otherwise shal be agreed by the Lords of the Treasury; but that I may be rightly understood in this matter, I put the case His Majesty were consenting I shou'd have such a power as I have said, upon exigences, and a credit from the Treasury Board, there would be a necessity at this juncture of time of drawing for about £1,300. £800 whereof to be laid out in presents for the 5 Nations, and £500 for the immediate building a Fort at the Onondages, I mean to begin it, and the rest of the mony to be drawn for as the work advanced, for the Revenue of New York is so smal at present, and so clogged with debts that there is no mony to be had there, nor credit with the monied men.

There is a concurrence I think of ill accidents to crosse my measures. The Board of Ordnance have sent Col. Romer an order to return to England and for my part I do not think fit to part with him at such a time as this; 'till I receive your Lordship's Orders upon the letters I have writ to you formerly about the Forts at Albany, Schenectady, and that which I lately proposed to be built at the Onondages Castle, and which I now repeat again, the Order is not sign'd by My Lord Romney or Sir Harry Goodrick, I send your Lordships a copy of it which is (N° 10.) I do not dispute that Boards right of appointing an Ingineer, but as to the Expediency of his continuance here more or less, I think they would do well to consult your Lordships, because you must needs know the circumstances of these Plantations better than they. Colonel Romer is mightily disturbed how to behave himself between the order of the Board of Ordnance, and the Injunction I have laid upon him to stay 'till I receive orders from your Lordships, which I have not done these many months; the Boards retrenchments too of 10^{s} per day of his allowance troubles him. If your Lordships think upon the representation I have made of the condition of our Frontier places, That Colonel Romer's stay here in these Provinces is proper, I hope that you will please to obtain the King's Order for it.

Notwithstanding my former proposition to your Lordships about making Tar and Pitch at New York, or the Tar there and the Pitch in England (for I submitted both ways to your Lordships consideration and choice) and of the King's sending Souldiers to that Province to make up a 1,000 in the whole; yet I would not advise the sending all the souldiers at once because I would not engage the King in so great an Expence at first, 'till I can satisfy His Majesty demonstrably that my proposition is practicable. I therefore desire for the present

that 250 Recruits may be sent over to compleat the four Companies, and that two New Companies of 100 men each may be also sent, which New Companies will not only be useful for work, but it will be an encouragement to our Indians to see that care is taking to strengthen our Frontiers, which in the consequence will be a protection and security to them against the French. If I were worthy to advise, the three Forts at Albany, Schenectady and Onondages Castle should be begun out of Hand. I am in hopes the Assembly of New York will give a Tax for the furnishing all Materials for the building the two first named Forts, which would be above a third part of the charge; And if I have a good Judge and Attorney General from England I hope so to improve that Revenue as to make it answer the rest of the charge, by the time the Materials for building the two first named Forts are provided. Let it be considered that each of these Forts will require the work of 100 Souldiers, which will hinder their working at Tar and Pitch a considerable time. But the rest of the Souldiers may in the mean time be employed to make the Tar and Pitch. If the arrears of pay and subsistence be not paid to the four Companies, I know not how any part of this design can be carried on, but that there must be an end of all: the Victualers should be paid in the first place, and Our Companies being so defective as they are, the pay and subsistence that would otherwise have been due, (had the companies been compleat) will I suppose answer the charge of the 250 recruits now required, and also of the Transportation of the two new Companies proposed.

Mr Livingston lately writ word from Albany that the Governor of Canada has been fortifying Montreal this last Summer.

I send our Lieutenant Hunt this second time for recruits, and at the same time he has in charge the pirates effects now sent over in the Advice Frigat, and that in obedience to the King's orders to me of the 11th December last, directing my sending the said effects to England in the said Frigat under the care of some trusty person. Lieutenant Hunt is a very honest Man and a good Officer, and I entreat your Lordships to honour him with your favour and protection; If he performs this trust faithfully, as I doubt not but he will, I hope he may be thought to deserve a Company of Foot, if there be any new ones raised for New York, for he has served the King honourably there these several years in the post of a Lieutenant.

I send your Lordships the Minutes of Council at New York for the months of October, November and December last.

I also send the Muster Rolls of the four Companies at New York, my Lieutenant Governor has blotted out the first dates of the Rolls of his Company and mine (which are quartered at New York) and interlined New Dates, to make them agree with the date of the Muster rolls sent from Albany of the two Companies quartered there, I know no hurt in it but that it makes an ugly blott.

The Lieutenant Governor of New York and I are put to great straights for want of the present made us by the Assembly of that Province, which we meddle not with 'till we have the King's leave for so doing I hope your Lordships will please to obtain the King's leave that we may have the benefit of that mony. I hear the faction of New York have got a petition signed by 5 or 600 hands and sent to England, wherein among other grievances, they complain of that £2,000 tax to my Lieutenant Governor and me, but they cou'd formerly submit to Colonel Dongan's having £1,600 presented pounds by the Assembly of that Province; and Fletcher's having a penny in the pound upon all estates in the Province, which I have been told wou'd have amounted to £2,000. But that Colonel Fletcher by his greediness so mismanaged the collection of the mony that he lost the greatest part of it. I remember he told me at my

first going to York that he received but £600 of the Countryes' Benevolence, and he railed very heartily and scurrilously at a Marchand of that Town, that he had he said entrusted with the collection of that mony, but was deceived by him. I am informed from York that the Petition they have lately signed there against me was sent from England, and intended for the Parliament. The signing was managed I hear by Bayard, Nichols and a club of such men, and to incourage people to sign, they reported confidently I was to be superseded in the Government, and they named the man that was to succeed me, and shewed letters of it from England as they pretended.

I send your Lordships the printed Laws of this Province, wherein are those we passed the last Session of Assembly.

I am with great Respect
My Lords
Your Lordships most humble
& Obedient Servant
BELLOMONT

Boston
the 28th Febr 1699.

All things in a miserable condition in this Province as well as in that of New York should there happen a war, there are not in this whole Province 40 barrels of powder at this time.

I forgott to acquaint your Lordships there is a necessity for cloaths for the souldiers at New York, they are in Rags, and must be cloathed against next Winter, and there ought to be cloaths for the recruits that are sent over, and for the new raised companies if any be sent to New York. Lieutenant Hunt will take care there with the Agent about the cloathing.

I send your Lordships the Naval Officers Book of entries of ships at New York for six months, vizt from last Midsummer to last Christmas: it came not to me 'till this last post he was a quarter behind hand with the Collector before, but now he has so much the start of him.

I also send the Naval Officers Register of ships within the forementionʼd six months.

Governor Winthrop to the Earl of Bellomont.

[New-York Papers. Bundle, H. I. K. K 22.]

My Lord.

A few dayes since a Gentln of the Councill informed me that Owaneco Sachem of Monhegan in this Governt gave him account that the Indians vizt the five nations, the Schachkook and Eastward Indians had agreed upon a designe to cutt of the English and that they had sent him Wampum which was their letter to engage him in the designe; upon which occasion I sent for him and his Councill and the Pequott Sachms and their Councill, and other Indians of note before whom he gave the enclosed relation, which makes our farmers and upper Plantrs a little uneasy as yett very sencible of the calamitys of former Warr; yet I can not reasonably think that the five nations or Shachkook Indians under their great advantages of your Excellcys favour and authority would break the least link of their Covenant chaine or that the Eastward Indians would break the peace which your Excellcy has so lately condescended to make with them;

but 'tis rather to be doubted a designe of our former Enemy Indians to make an adventure upon our upper Plantations as restlesse to do mischiefe and whose guilt in the murther of many of our people makes them (as wolves) keep at a distance, as 'tis reported of one Toby mentioned in the relation as the principle instigator to this designe, and who had a particular hand in killing one Johnson and leaving his residence is sometimes privately among his relations at Woodstock and at hunting houses in the wilderness, who if taken, would be a meanes to break their measures and the designe whatever it might be, might be disappointed. I have sent out a Principle Indian to find out Nanaquabin who brought the Wampom to Owaneco and if possible to bring him in; of whom I hope to hear further concerning Toby and a more particular account of this matter which shall be presented to your Excell^{cy} as soon as it comes to my hand. The enclosed is the information which Owaneco has given, and tho' there does not appear any present danger yet as it is of publick concernment for the safety of all His Maj$^{ty's}$ Govern^{t} to be acquainted with the least rumor of any designe they may intend against us, I think it my duty to present the relation to your Excell: as it was made before me and pray your Excell$^{cy's}$ opinion and advice therein, which this Govern^{t} will thankfully acknowledge and your Excell: will honour and favour

My Lord

Your Excell$^{cy's}$ most faithful

humble servant

New London

Jan^{ry} 29. $\frac{16}{1700}$.

J. Winthrop.

Information respecting a rumored Rising of the Indians.

[New-York Papers. Bundle, H. I. K. K 23, 24, 25.]

The Information made by Owaneco Sachem of Monhegan concerning a combination of the Indians to make warr upon the English given to the Gover^{r} & Councill in New London January the 22 $1\frac{6}{7}\frac{9}{0}\frac{9}{0}$

Present—The Honb^{le} John Winthrop Esq Governour,
Capt^{n} Samuell Mason,
Capt Dan^{l} Wetherell,
M^{r} Rich^{d} Christophes
M^{r} Nemehiah Smyth,
M^{r} Nehemah Palmer.

The Indians then attending were (: besides Owaneco Sachem of the Mohegans and divers of his Councill:) Momohans Councill, Scadaub Sachim of a part of the Pequots with his Councill and the Indian Councill of Nihantick.—

The interpreters were: Capt^{n} John Stanton and Lieut^{t} James Avery:—

Owaneco being asked what he desired to relate—Declared:

He remember the covenant made between the Colony and His Father, pursuant to which he had made hast to inform Capt^{n} Mason as soon as he understood any mischief to be designed against the English—

The Hon^{ble} Governour then telling him, that he had sent for him to know (and now expected to hear from him:) what he had heard concerning that designe, that as he had heretofore so he might also now shew, how carefull he was, that, that ancient covenant

might not be broken. Owaneco went on and reported as followeth: That he had news by a Juncks'es Indian call'd Wadungum (: about two months since :) that a Dutchman at Albany had told the Mohawcks that King William had ordered all the Indians to be cutt off; and that the English and French had letters about it, and that the Dutchman advised the Mohawcks to buy ammunition speedily; because in a little time none would be suffered to sell them any, and sold them presently about twenty barrells of powder—

Since which Owaneco informs that he heard that Canada Mohawks were come over to the other, and that they held a great Councill, where the news above mentioned was discoursed—The Canada Mohawks said they heard the same, wherefore they came over to take Councill with them against the English. An Indian whose name is Toby formerly belonging to the Indians that live at New Roxbury (:and who had a hand in the killing of one Johnson near the same town in the last war with the Indians) was at the said meeting and told the Mohawks, that if they did but draw off the friend Indians, from the English, they might then easily destroy the English; Upon which the Mohawks imployed Toby to carry presents to the Nipmug[1] (: or Wapaquassett) Indians, and to the Mohogans to draw them off from the English and withall to assure the Mohegans that if they would not forsake the English, they would look upon them as Enemies—

Likewise he informs that about a month since he heard that the Mohawks and the Nowonthewog or the Estward Indians had combined against the English and that they had agreed to send Wampom to the Sewonkeeg or Western Indians, and that they had sent a girdle of Wampom to the Wapaquasett or New-Roxbury Indians of which he was to have a part; when he heard this news he advised his men to be silent till the belt of Wampom should be brought to him—

About a week after this Owaneco being at Norwich, one Nanaquabin a principal Indian among the Wapaquassetts came to him and asked him to refresh himself with a cup of sider, and gave him at Ensigne Bushnel's a piece of eight and an half, with a shilling which he shewed to Ensigne Bushnell and soon after went out of Norwich; designing home, but when he had got out of Town, a young Indian running after him, overtook him and told him, Nanaquabin was comeing to speak with him, upon which he made a stop untill Nanaquabin came up, who then told him that he had a secret to tell him and desired that the Indians that were with him might be sent away which he did, and then Nanaquabin told him, there was a great designe on foot agst the English, that the Mohawks were concern'd in it; and confirmed the former news which he had heard of the Mohawks, and at the same time Nanaquabin delivered to Owaneco a part of the girdle of Wampom (which he had delivered to Capt^{n} Mason and was by him brought to the Governour and Councill.) which Wampom Nanaquabin told him the Mohawks had sent him and that the Wapaquassett Indians had already received part of a girdle of Wampom—He further said that Nanaquabin importuned him very much to keep this matter close, and pressed upon him the danger that would be in discovering it, because the designe was not yet ripe for the Schachkook Indians were gone a hunting to Manadnuck and Winepisseoket[2] and were to meet at Namaschaug a fishing place, where they were to receive orders from the Mohawks when to strike the blow; and perswaded him to withdraw from the English; telling him that whatsoever discovered the plott would be look'd upon as enemies to the combined Indians and made to eat fire—After this discourse, Nemaquabin asked Owaneco

[1] The country of the Nipmucks was about Worcester, Oxford, Grafton, Dudley, &c., in Massachusetts. *Holmes' Annals*, I. 428.
[2] Lake Winipiseogee, in New Hampshire.—Ed.

what answer he would returne to the Mohawks; who said he must first ask his Councill; then Owaneco asked Nemaquabin, how the Wapaquassett Indians liked the designe, who said very well, and that they have returned them thanks and a present of twenty five shillings; Then Owaneco asked him how much time he must have to answer them in; who replyed, the sooner the better; but not later then the beginning of the spring; after this discourse they both went to Shatuskett, and stayed there two nights; Owaneco asked Nemaquabin, where he would hunt this winter; who answered at Manadnuck but when Owaneco replyed that Manadnuck was a place of death, because he had received the Wampom; then he said he would go into Philips Country[1] and draw off from the English, the Indians that were in those parts. —

The Information of Black James taken from his own mouth on Febr the 1st $1\frac{699}{700}$.

That he being in the woods a hunting came to a place near Massomuck to a great Wigwam of five fire places; and eleaven hunting Indians; he went into the Wigwam towards one end of it, and saw an Indian wch seemed to hide himself, he turned himself towards the other end of the Wigwam, and met there a man called Cawgatwo, a Wabaquasset Indian, and he asked if he saw any strange Indians there; he said I saw one, I did not know; then Toby came to him, and another stranger and Cawgatwo told him that was Toby; he said he would go away tomorrow, they bid him not go away, for tomorrow they should discourse; the next morning they went out and called this James and bid him come and see the Wampom they had gathered; he asked what that Wampom was for, they said it was Mohawks Wampom; the Dutchman had told them that the English had ordered to cut off all Indians, and they had the same news from the french, and therefore we are gathering and sending Wampom to all Indians, that we may agree to cutt off the English; and Cawgatwo told this James that Toby brought that Wampom and that news from the Mohawks; then he went home and told this own company, and desired them to send word to the Mohawks and Nihanticks[2] of this news. —

The Information of an Indian Squaw commonly called Spuna taken Febry 3d $1\frac{699}{700}$.

That the last fall, when the Indians were out hunting, she the said Squaw was there with them; that belonged to the Wabequassetts, and when the first sonow fell, there came two strange Indians to them, and was with the Wabequasset Indians two days, consulting how they might come down upon the English and Friend Indians, and the two strange Indians gave the Wabequassets Wampom to hire them, to help them against the English; and it was declared among them that they had now received such a pledge, and that thereby they owned themselves engaged in the cause; the strange Indians answered the Wabequassets, that they would have them be true, and not fail them by any meanes, and desired the Wabequassets to provide themselves with powder and lead; and if the English took away their gunns it was no matter, for they had guns enough for them; and that they must come to them this month of Febry and bring their wives and Children, for about that time they must have a meeting;

[1] Philip was King of the Wampanoags, or Pawkanawkuts; his country embraced all the western and southern parts of the old Plymouth Colony. *Williamson's Maine*, I. 458. He resided at Mount Hope, now Bristol, Rhode Island.

[2] Nihanticks were a branch of the Narragansets, and were located on the sea coast near Lyme, Conn., on a river which still bears their name.—Ed.

moreover she heard the Wabequassets say, that they would go to the Enemy in Febr^{y} at furthest, (and would have her go with them:) to Penacook, therefore she left them and came to the English; She further informes concerning these strange Indians (: above mentioned), that one of them was named Toby and the other Weesoonskow the later being a kind of Sachim among the Penacook[1] Indians and Toby is a great man or Capt^{n} and that Nemaquabin was there at the consultation and consented with them in this matter that they did designe to be doing mischief betimes this spring and that she heard the Wabequassets say (: before they came out of the woods, and also after they came home:) that they would be the death of any that should discover this thing: moreover she informs that she heard them say, that Norwich was a good place for them to clear or cut off, for there was much brush near it, and that she did not hear them speak of any in this plott with them but the Penacook and Albany Indians.

Colonel John Pynchon to the Earl of Bellomont.

[New-York Papers. Bundle, H. I. K. K 26.]

May it please Your Excellency.

When I writt those line which come herewith wherein I intimate to Your Excell^{cy} of all matters being in peace and quiett here, I had not any account of any thing otherwise, but haveing sealed that letter before I delivered it to our representative who is going to Boston; just now I have p^{r} post received from Hartford Gent^{m} the information made by Owaneco Sachem of Mohegan (: to Gov^{r} Winthrop of New London) concerning a combination of the Indians to make war upon the English which it were my duty to post away to your Excell^{cy} and should not fail of doing herewith but that the Gent^{s} writes me, the same information of Owaneco is sent to the Lord Bellomont last week p^{r} the post so that I am assured Your Lord^{p} hath it; I have only to add that the Wapaquasset or new-Roxbury Indians are all gone away, they went on last Wednesday night towards the Eastward, probably to Penicook Indians, only five of them are come to Shatuckett, near Norwich, and say they are gone to the Enemy; about twenty five men of them are gone from New-Roxbury, and as many women and children as make them about one hundred; M^{r} Joseph Bernard of Hartford who had been at Boston coming from New-Roxbury on Saturday from Hartford confirms that of the New-Roxbury Indians being gone, and says that a Squaw who went out with them returned back and says they were bound to the Eastward Indians but 'tis most like they would go to Penicook first, and probably are gone by the way of Quabaag,[2] Your Lord^{p} hath what is with me and I suppose have more then I am able to give account of—what further I shall understand, at any time I shall not be wanting in acquainting your Lord^{p} with, and glad to receive your Excell^{cies} directions. I shall take care to give notice up the River to our townes there; and take such methods as may be most for safty and to prevent mischief coming unawares as likewise shall informe Quabaug of this Plott (: if I may so call it) that they be not secure and give such orders as I shall judge most necessary, till I receive further or other advice from Your Excell^{cy}

[1] See ante, III., 482. [2] Now Brookfield, Mass.—*Holmes' Annals*, I., 423.

when (: as always I am and) shall be ready to attend the same haveing said what is needfull at present I shall not add humbly devoting myself to Your Lord$^{p's}$ service — I am

Your Excell^{cy} most faithful servant

[5th February 1700.] JOHN PYNCHON

At the very instant of my being about sealing this letter, there come to my hands Your Lord$^{p's}$ proclamation for proroguing the Gen^{rl} Court which puts a stop to our representative, so that I send these to brookfield p^{r} post supposeing the Representatives of the upper towns (: who know not of it) are there on their journey towards Boston and to give them intelligence ettc.

Lieutenant-Governor Partridge to the Earl of Bellomont

[New-York Papers. Bundle, H. I. K. K 27.]

Portsmouth the 20th Febr^{y} 99.

May it please Your Excellency

Here has nothing of late occured worthy Your Excell^{cys} notice till yesterday Capt^{n} John Tuttle of Dover with some other the Inhabitants thereof came to me with an information that the Indians late conversant at Cochecha were suddainly withdrawn according to the information here inclosed.

These Indians of late have been observed to visit most of the inhabitants that live in Dover and narrowly view their houses, and by their whole carriage given occasion of suspicion that they design mischiefe against us.

The Indians that have appeared at Cochecha and not known to the inhabitants there, do generally call themselves Albany Indians but 'tis believed they are both, Albany and Eastern Indians.

I thought it my duty to give Your Excell^{cy} this account by an express, and pray Your Excell$^{cy's}$ direction herein, in the mean time I have ordered watches and wards to be kept in the out towns to prevent a surprise but so that if any Indians still come in they may be treated as before without discovering any thing of our suspicion of them. I give Your Excell^{cy} no further trouble at present, but crave leave to subscribe

May it please Your Excellency

Your most humble and obedient servant

W^{m} PARTRIDGE.

Information of Mr. John Waldron.

[New-York Papers. Bundle, H. I. K. K 28.]

John Waldron of Cochecha in the township of Dover Yeoman came this day being Monday the 19th of Febry 1699, and informed that on Thursday las Sun about an hour high, there came a strange Indian out of the woods to the house of said Waldron and made enquiry after the Indians who in an hour and half time, he and the rest of the Indians who used frequently to be or continue at said Cochechu were all gone, and that he has not heard anything of them since. Also Captn John Tuttle reports that Nathaniel Hird, Comander of Dame Hirds Garrison at Cochecha acquainted him that one of the Indian Squaws came to said Hirds wife and seem'd to be mightily sorrowfull upon whch Hirds wife asked her the reason why she was so sorrowfull the Squaw answered because she loved the English, and more such like discourse passed till in came the Squaws husband who frowned mightily upon her and gave her a blow over the face and after some discourse he went out againe, then Hirds wife asked the Squaw againe what was the meaning of her husbands so frowning, who gave her this answer; You are an understanding Squaw you will know what the meaning is when I am gone (: or words to that effect:) and further an Englishman comeing in while this Squaw was discoursing with Hirds wife and pretendidg himself a Sagamore the Squaw told him that ere long little Georg would come down with his men and then it would be seen which of the two were Sagamores —

Colonel Schuyler to the Earl of Bellomont.

[New-York Papers. Bundle, H. I. K. K 29.]

Albany the 1. Febry 1699.

May it please Your Excellency.

Yesterday arrived here six frenchmen from Canada with the inclosed letter for Your Excellency and a packet from the Governour of Canada to Paris which I now send to New York, here is a minute of Councill against the transportation of horses or Jades to Canada, and here being five left at the departure of the Jesuit Bruas and Monsr de la Valleire the late Messengrs to Your Lordp from Canada, which they desire may be directed to a Christian and Indian who they have sent for them, which I have delivered to their desire hopeing Your Excellcy will not take it ill, as for transporting of other horse shall indevour to maintain such orders as are made against it till Your Excellcy further orders; here is news from the Country that the Settlement at Cadaracque by the French are so much in want of provisions that they must be supplyed by the Onnondages and Sennecks and as farr as I can understand is very scarce in Canada—all is well here—so shall remain

Your Excellcy's most humble and obedient Servant

P. Schuyler.

Information of Mr. John Sabin.

[New York Papers. Bundle, H. I. K. K 80.]

The information of Mr John Sabin who lives at a farm house near adjoining to Woodstock an Island Plantation about seaventy miles distant from Boston.

Saith—That during the time of the late Rebellion of the Indians, he having obliged the Indians in and about those parts that have pretended friendship to the English by many particular acts of kindness; whereby he hath created in them a greater confidence in him then in others of his neighbours and thereby gained an opportunity of being made acquainted with the designes and purposes which from time to time have been on foot among the Indians and of their secret contrivances; and further saith, that more than half a year since some of the said friend Indians have hinted unto him that there was great likelyhood of a fresh rebellion or warr arising upon the English by the Indians, by the instigation of the Governour of Canada, tho' himself would not appear in the thing, yet that he had sent his cunning men (as they called them) among the Indians who insinuate them that the King of England did not love the Indians but designed to cutt them off; and that all the Indians throughout the Country were confederated together, as the Mohawks and others of the five nations, and resolved to stand by each other, which discourse this narrator then looked at as an ungrounded surmise and told the said Indians so, and withall endevoured to make them sencible of the peace concluded between the King of England and the French King, and the friendship that was betwixt them and that all their subjects on either side were strictly forbidden to committ any hostilities upon each other, or to aid assist or succour the Ennemies of one another, and that the King of England was a very good and gracious King which he hoped had given them satisfaction—

But by this discovery since made by Owaneco an Indian Sachem, he hath reason to conclude the aforesaid discourse of the Indians to be the result of a known plot intended, and since that hath industriously applyed himself to get a further discovery thereof from the Indians and is well assured, their designe has been carrying on this winter throughout the Country be sending presents from one plantation to another of them, and that a general rendezvous of their Sachems and their principal Councellors was to have been had at Winipisteoket, near the Penicook Country to concert their methods for carrying on their said designe towards the latter end of April next; but having understood that their designe is since disclosed, have resolved to hasten their said consult and to have it sometime this month; and that the Indians of the Plantation whereto he lives, are drawn of and gone Eastward, and some of their company that stayd behind, being sent to recall them and having had discourse with the Sachem of the Penicook about the aforesaid combination and confederacy, he told them he had the longest bow that ever was in New England it reached from Penobscot unto the Mohawk country and the narrator enquiring of the Indians, what was intended by that long bow, they replyed, that it imported that all the Indians throghout the Countrey were ingaged for the carrying on of the said designe, and the Mohawks and others of the five nations were allready fixed not to engage for or on the side of the English and they hoped to engage them actually against the English; and further said that when there was a breach betwixt the English and the Indians the Governour of Canada would envite the Indians to come over to him and he would protect them and engage them to the french interests; And that the peace betwixt the french and the

English would not last long and then the French and Indians would be all one and the English would be left alone and that the French Governor loved the Indians very well, and his cunning man had made them to understand so, and that tho' he could not help the Indians now, yet the peace would not last long and upon a new war he would pull the Indians to him—

Febr^{ry} 20th 1699.

Heads of Accusation against the Earl of Bellomont.

[New-York Papers. Bundle, H. I. K. K 6.]

1° The Earle of Bellomont upon his first arrival at New York gave encouragem^{t} to a factious sort of people, that assumed the name of Leislerian party, from one Jacob Leisler who usurped the Govern^{t} after the late revolution and was executed for high treason—By this meanes, the animosities which several acts of Assembly and a prudent Magistracy, had allayed and allmost extinguished were again revived and the province more divided than ever—

2.). Soon after his entry upon the Gover^{t} the E. of Bellomont called a general Assembly, whom he frequently sent for and treated with great scurrility. The house of representatives prepared a law for healing the divisions, and when two of them came to tender this law to the Councill, for their concurrence and to the Governor for his assent, they were not admitted to deliver the Bill, but the whole house was immediately sent for and dissolved by the Earle of Bellomont, with opprobrious language and a general charge of disloyalty without assigning any particular fact.—

3°). After the dissolution of this Assembly His Lordship in order to procure sheriffs and consequently an Assembly to his own humor, garbled the Councill, and upon frivolous pretences, suspended ten of the most considerable for Estates and parts and experience in busynesse viz: Coll: Bayard, Coll: Minveill, Coll: Willet, Coll Heathcote, Coll Young, Coll: Townley, M^{r} Pinhorn, M^{r} Nicolls, M^{r} Lawrence and M^{r} Brooke, and placed six of the Leislerian faction in their roome, viz^{t} Abr: de Peyster a Merch^{t}, Samuel Stauts, a dutch Barber Surgeon, Johannes Carboyl a Dutch Mountebank, Rob^{t} Levingston a Scotchman, the contriver of Kidd's Pyratical voyage, Ja^{s} Graham a Scotchman Attorney General, and Robert Walters a son in law Leislers. Three of whom viz: Staats, Carboyl, & Walters in all publick assessments were rated at no more than 150^{lb} 25^{lb} & 70^{lb} Estate—

4°). The Councill being men thus new modeled the Earle of Bellomont and this Councill appointed new Sheriffs and Justices of the peace, mostly of the Dutch and out of the meanest and mercenary people having more regard to the faction they espoused, than any other qualification—

5°). He next permitted if not directed the taking up at midnight with sound of trumpet and drumms the bones of Leisler and Milbourne who had lain burried in their own graves neare nine years, and to ly in state some weeks and afterwards to be publicly burried in the Dutch church against the consent of the Officers thereof attended by 100 men in armes, and a mobb of 1500 men chieftly Dutch, the scum of that and the neighbouring provinces, which struck such a terror into the Merchants and other the principal inhabitants of the City of New Yorke, that most of them were forced to withdraw and absent themselves for a time for their security.

His Lord^{p} 'tis said honored this funeral by being a spectator out of a window whilst the cavalcade marched by. Tho' the Ministers of the English, French and Dutch Churches addressed his Lord^{p} to prevent the bodies being publicly burried in that manner, he would not vouchsafe them any satisfactory answer.

6.). That soon after his Lord^{p} issued out writts for chusing a new Assembly, and the Election was appointed to be upon the same day in all places except the two most remote Counties whereby the best freeholders who had estates in several Counties, were deprived of giving their votes at several elections. The Sheriffes performed their businesse they were appointed for by admitting some for freeholders who were not so, and rejecting others who really were so, as they voted for or against their party and by nominating and appointing inspectors of the poll who upon any complaint of unfair dealing gave this general answer: if you are agrieved complain to Mylord Bellomont, and the same practice in all places gives just reason to believe the Orders for it came from his Excellencie.

7). To secure a majority of such assembly men as he desired, his Lord^{p} without any instruction from England added two to the former number viz^{t} one more to be chosen for the city and County of Albany, and one for the County of Orange, which last is by Act of Assembly made part of the County of New Yorke, and has not twenty inhabitants freeholders in it, and never before had a distinct representative in Assembly: By this meanes one Abrâ. Governeur a Dutchman (: so indigent as never to be assessed in the publick taxes, and who, as is reasonably to be supposed, had a deed of some land made to him of purpose to qualify him for it, because he never had any land before:) was chosen an Assembly man, and is since made a Speaker of the house of Representatives. This fellow was formerly convicted of Murther and pardoned, and soon after the revolution publicly declared that Jacob Leisler had carried the Govern^{t} of New York by the sword, and had the same right to it as King William had to the Crown, having conquered the Kingdom of England. Att the meeting of the Assembly it appeared, of the 21. Representatives there were but seven Englishmen the remaining fourteen were all Dutch and of the meanest sort, half of whom doe not understand English which can conduce little to the honor of an English Govern^{t} and lesse to the security of the English interest there.—

8). This Assembly expressed their gratitude to his Lordship by passing an Act for raising 1500^{lb} to be given to his Lord^{p} and 500^{lb} to be given to his Lieut: Gover^{r} and another act for paying of debts chieftly contracted by his Lord^{p} in unnecessary buildings ettc.—

9.). And for the more effectual dispatching these bills M^{r} Graham the Attorney General and late speaker who had before been made by orders from England one of the Councill and ought to have been of that body in the Assembly was continued speaker of the house of representatives till these bills for raising these sums passed and then he was called up to his higher post, and was succeeded in the chair by Abram Governeur named before.

10.). This gratitude cost the Assembly little because they have little to pay for, but the charge falls principally upon the Merchants and substantial freeholders, who had no share in making or consenting to this largesse. The difference of their circumstances is so great that it can be made appear if required that 368 of the Electors within the City and County of New York who made choice of the four dutch Members returned for that place, payless to the public taxes, than 29. of the Electors who voted agst them, and the whole body of that faction pay scarce a fifth part of the publick assessments, and scarce one fiftieth part of the revenue arising from Customes.

11.). This Assembly upon His Lord$^{p's}$ recommendation vacated several particular grants of Lands passed in the usuall forme under pretence of their being extravagant. And by one of the same acts suspended one M^{r} Dellius from his Ministerial function upon a malicious and false sugestion he had deluded some Indians to make him a grant of lands tho the said Indians have since recanted the same by which meanes M^{r} Dellius who was the most useful man of that Country, in converting the Indians and keeping them firme to the English interest, hath been forced to leave the province to the great dissatisfaction of the Indians and hazard of their desertion to the French; But several other grants as large or larger than those that were vacated and under the same circumstances were left untouched because in the hands of Leislerians.—

12): This act was looked upon even by some of the Councill and of His Lord^{ps} party so very hard that when this act came up to the Councill they being six were equally divided and the Bill ought therefore to have dropped there, but His Lord^{p} assumed and acted in two capacities, first gave His vote as one of the Councill for passing it (: in which capacity he has no vote in Assembly :) and then confirmed it by his Assent as Governor.

13°). This act vests all their lands in the Crown and does not vest any of them in the Indians from whom it was pretended some of them were superstitiously got by which meanes his Lord^{p} will have them in his power to dispose of.—

14°). This Assembly just before their rising made an addresse or remonstrance to his Lord^{p} aspersing the five proceeding Governors and arraigning their Administration with great malice, falshood, and scurility, which his Lord^{p} ordered to be printed.

15.). His Lordship has not been less Active out of Assembly than in it, and given sufficient testimony what spirit animated that body.—

He has tendred extrajudicial oaths to severall of His Maj^{tys} subjects requiring them to make answer to such questions he should ask them, and upon their refusall to swear has threatned to committ them into custody.—

16°). He committed to prison without bayl two Merchants of New York who had farmed the excise of Nassau Island, because they refused to discover upon oath what profits they had made by that farme, and afterwards procured an act of Assembly to justify that proceeding and to continue them in Goale.—

17). He suspended the payment of £26 p^{r} annum, to the English Minister and £30 p^{r} annum a piece to two French Protestant Ministers which His Maj^{ty} had appointed to be paid out of the revenue for noe other apparent reason then that they set their hands to an attestation of M^{r} Dellius's good behaviour whom the Assembly had suspended and driven out of the province.

18). By a warrant out of his hand he turned Miles Forster a Merchant out of a house which he had purchased part of and was posessed of nine years and had laid out great summes in improvements of, under pretence of restoring it to Leislers heir tho Leislers heir had pretence only to a 3rd part, refusing to lett the title be tryed by law.

19.) A dispute arising concerning the property of a Whale found on the beach, whether she belonged to the Governor or private persons whose marks that killed the whale were found in her, his Lord^{p} refused to try the property but imprisoned one Floyd (: who was imployed to cutt her up:) without bayl till his Lord^{p} had seized the Whale and converted her to his own use.

20). By an order of Councill he turned another person out of his estate after four years quiett posession who had recovered it by a judgement at Common law, which was confirmed upon an appeal to a former Governour and Councill after which no appeal lyes but to the King in England, and for the better collour of this extraordinary proceeding this order was

instituted A name unknown in that province as if it had been an appeal to that part of the Assembly who have no power to hear appeals nor ever pretended to it.

21). He turned out one of the Judges for no other apparent reason, than for refusing to committ an Alderman by order of himself and Councill for declaring his opinion in Common Councill, that a certain place proposed to erect a new Citty Hall upon, was too near the great gunns.

22.). The Lieut^{t} Gov^{r} and Councill caused 4 Justices to be sent for from their habitations at Albany 150 miles from New Yorke and suspended them, because they had taken upon oath the recantation of two Indians who had falsely accused M^{r} Dellius and acknowledge their offence when he was leaving the Country after his suspention by the Assembly.

23). He suspended Thomas Palmer the naval Officer for no other apparent reason than his being a witness in a civil action against M^{r} Weaver his Lord$^{p's}$ favourite, to which M^{r} Palmer was compelled by a subpœna and has placed in his room one Paroculus Parmiter an infamous fellow convicted of forgery in England, of which His Lord^{p} had notice, yet he has been soe far from removing him, that he has since made him Sollicitor Generall of that province.

24). He detained a Merchants ship severall weeks, from sailing on pretence of sending letters to the Govern^{ts} here, and because the Master refused to stay any longer, he sent down armed men to the ship, then lying at the River's mouth ready to put to sea, who brought the Master up in custody to New York and kept him severall dayes to the great damage and charge of the owners and freighters.

25). He suspended M^{r} Brooks from his office of Collector which he held under the broad seal of England, as well as from the Councill without any just cause.—

26.) He has lately made one Charles Olliver a second Lieutenant in the L^{t} Gov$^{r's}$ company who has no estate in the province, high Sheriffe of New Yorke

27). He has displaced most of the Militia Officers and put in, mean, indigent fellows and most of them Dutch.

28). He gave a Lycence to Hend^{r} Hanson and others to transport horses and mares from Albany to the French Collony of Cannada which was never practiced before and may be of very mischievous consequence in case of warr; this has alarmed the Indians who are jealous these horses may be employed against them.

29.). He having got two of Kidd's crew in custody viz^{t} one Buckmaster an Englishman and van Tayl a Dutch, he committed the Englishman to prison without bayl and admitted the Dutchman to bayle.—

30). He has committed one Clark to prison without bayle upon suspicion of his having some goods of Kidd's in his custody only because he had been on board of Kidd's vessell.—

31.), The Mayor and justices of the Peace of New Yorke either through fear, partiality or by order refuse to take any affidavits relating to his Lord^{ps} proceedings —

32.). The Earle of Bellomont in justification of these proceedings calumniates the people of New York of being Pirates and favourers of Piracy and breaking the Acts of navigation whereas it is evident that but one ship has for ten years past gone from thence on a Piraticall voyage and that was pretended to be commissionated by Leisler; 'Tis true that severall ships have had a constant trade to Madagascar for Negroes and some of them having lately met with India goods there which they bought at easy rates transported them to New York.—

These are what I am informed by the Merchants of London will appear to be true.—

JOHN KEY:

March 11. 1700.

Petition of sundry Merchants of New-York to the King.

[New-York Entries, C. 96.]

To the Most August Majesty of William the Third King of England

The humble Petition of the Merchants of New Yorke in America.

Most dread Sovereign

Wee your Majesty's faithfull and obedient subjects Merchants residing and trading in your City and Colony of New Yorke in America deeply sensible of your Majesty's Royall care for the Tranquillity, peace and happiness of all your People, thô at never so great a distance from your immediate inspection; But in a more especial manner from your Majesty's subjects in this Province with all dutifull submission to your Royall pleasure humbly beseech your Royall leave to offer to your Majesty's consideration that ever since this Colony was blest with the felicity of being reduced to the English Empire and Obedience, it has always been governed by Powers under the Great Seal of England independant on the Government of any other Province or Plantation except in the reign of the late King James by the annexation of this Province to Boston (where the Governor then made his residence). And now since the Arrivall of the Right hon^{ble} the Earle of Bellomont your Majesty's present Governor in these parts, who being Governor of both Boston and New Yorke, during his Excellency's absence, your Majesty's Lieutenant Governor of this Province (as your humble supplicants are informed) is obliged strictly to follow the directions of the Captain Generall, Whereby many and great inconveniences have dayly happened, and are sustained by your Majesty's subjects here, to the great retarding and impeading the common and usual course of Justice, to the great decay of Trade, and discouragement to the labour and industry of the Planter and Husbandman, without any particular benefit to your Majesty, or just advantage to any other your Majesty's subjects. Wee therefore humbly pray,

That your Majesty's extensive goodnesse may reach us your faithfull subjects in this your Plantation and that your Royall Majesty will most graciously be pleased by bringing back this Province to its former manner of Administration unconcern'd with the Governor of any other place, to reinstate it's Inhabitants in their pristine peace, safty and prosperity,

And your Majesty's most humble subjects as in duty bound shall ever pray &c.

Gab. Minvielle	James Mills	Steph^{n} De Lancey
N. Bayard	Rip-Van-Dam	David Jamison
Jacob Mayle	Phillip French	B. Schuyler
Rich^{d} Willet	Robert Watts	J. V. Cortlandt
Louis Carre	Mathew Ling	W. Morris
Elie Boudinote	Miles Forster	Jos. Billopp
J. Belin	Tho: Palmer	B. Aske
N. Jamain	Will^{m} Anderson	Eb. Willson
Daniel Crommelin	Tho: Wenham	O v. Swieten
Paul Droilhet	Rob^{t} Lurting	Adolp: Philipses
Gab^{l} le Boyteux	Cha^{r} Lodwick	John Povey

1700. March

Representation upon the Boundary between New-York and Connecticut.

[New-York Entries, C. 99.]

To the KING'S MOST EXCELLENT MAJESTY

May it please your Majesty,

We humbly beg leave to represent to your Majesty the Sate of a difference between your Majesty's Province of New Yorke and the Colony of Connecticut, relating to the right of Government over the two towns, called Rye and Bedford, which ly in the frontiers of the said Province and Colony.

Colonel Fletcher late Governor of New York in a letter dated the 22d of June 1697 (which we received in September following when the Earl of Bellomont was upon his departure from hence to that Government) having advised us, that the said towns to avoid the payment of some arrears of taxes had revolted from New Yorke to Connecticut, and that Connecticut had accordingly owned them as members of that Colony, and thereupon in an hostile manner had at the town of Rye disturbed the execution of your Majesty's writ for the election of a Representative for the General Assembly of New Yorke, We desired his Lordship after his arrival there to enquire diligently into the grounds of that Difference, and to send such a state of the pretences on both sides as might enable us to lay the case before your Majesty.

And the Earl of Bellomont having in answer thereunto sent us the respective Reports of Commissioners appointed by himself in behalf of the Province of New Yorke on the one side, and of Commissioners from Connecticut on the other side, we have considered the same and thereupon humbly represent to your Majesty.

That in order to the Settling a Division Line between the said Province and Colony Commissioners were appointed by his late Majesty King Charles the 2d who in the year 1664 having heard the Allegations on both sides did by the mutual consent of both parties agree upon and signe a Report by which those Boundaries were to be settled; But it being afterwards found that some places named in the said Report for Boundaries, were not at that distance from other places which had been agreed upon (as the Commissioners for New Yorke declared) to be the Rule and Measure of their proceeding. And that the Towns of Rye and Bedford which by the supposed distance of the foresaid places named for boundaries would have been included in the Province of New York, were by the mistake about that Distance made to fall within the Colony of Connecticut; Another Agreement was afterwards made and concluded in the month of November 1683 between Colonel Dongan then Governor of the Province of New Yorke for the then Duke of Yorke on one side, and the Governor of Connecticut Robert Treat Esqr with three others in commission with him on the other side, by which last agreement the Division Line between the said Province and Colony is more exactly expressed and settled, from place to place, so as to answer the true Intention of the first Agreement, and to remove all future Controversy about the Towns of Rye and Bedford, by including them undoubtedly in the Province of New Yorke.

That in prosecution of this last Agreement an exact survey was made, the Bounds or Mears accordingly fixed and distinguished by certain Land-Marks, and the foresaid Towns of Rye and Bedford (yielded by the Governor and Company of Connecticut) were received under the Government of New Yorke, and did so continue untill the beginning of the year 1697 when the foresaid Revolt mentioned by Colonel Fletcher began.

But nevertheless it being objected, in the forementioned Report of the Commissioners from Connecticut now sent us by the Earle of Bellomont, That their Commissioners in 1683 had no power to alter the bounds formerly agreed upon, And further that there is a Proviso in the Agreement made in 1683 submitting the same to the Approbation and Confirmation of His Majesty King Charles the 2d and the then Duke of Yorke, which Approbation was not signified and declared, nor, as they say, now ever can be. And that therefore the said Agreement ought to be esteemed voyd and of no Effect. We take leave to answer, that those foresaid Commissioners were the Governor of that Colony himself, and others joyned with him in the same commission, which we conceive to be sufficient Authority from the Government, And that the Acquiescence of that Government under the settlement then made, during the last year of King Charles the 2d, the whole time of the late King James and at least eight years of your Majesty's Reigne, without making any objection against the same, is (as we humbly conceive) a sufficient Bar against the Cavill upon the foresaid Proviso; Or at least that if the want of the said King Charles and Duke of York's approbation could be esteem'd of any Moment, Your Majesty is yet in Right to supply the same by your Royal Approbation of the foresaid Agreement.

And we therefore humbly offer that for the prevention of all future Disputes about this Matter, your Majesty would please to declare your Approbation of the foresaid Agreement made in 1683 (whereof we have hereunto annexed a copy) and to give Directions accordingly to the Earle of Bellomont, or Commander in Chief and Council of New York for the time being on one side, and to the Governor and Company of Connecticut on the other side, that the boundaries exprest in the said Agreement, and further settled by an Actual Survey made in pursuance of the same (of which survey we have likewise hereunto annexed a copy) may for ever hereafter remain and be the Division Line between the foresaid Province of New Yorke and Colony of Connnecticut. All which neverthless we most humbly submit

(Signed) Stamford
Ph: Meadows
Wm Blathwayt
Jno Pollexfen
Abr. Hill
G. Stepney.

Whitehall
March the 13th
$\frac{1699}{1700}$.

Order of the King in Council approving the preceding Representation.

[New-York Entries, C. 105.]

At the Court at Kensington the 14th day of March 1699.

Present—The King's most Excellent Majesty in Councill.

Upon reading this day at the Board a Representation from the Lords Commissioners of Trade and Plantations dated the 13th of this month relating to the Boundaries between the Province of New Yorke and the Colony of Connecticut in America, and the right of Government over the Towns of Rye and Bedford, which lye on the Frontiers of the said

Province and Colony, As also an Agreement made between the said Province and Colony in the year 1683, relating to the said Boundaries; His Majesty in Councill, Approving the said Representation is pleased to Order, as it is hereby ordered, That the Lords Commissioners of Trade and Plantations do prepare the draughts of letters to be sent to the Earle of Bellomont, and to the Governor and Company of Connecticut from His Majesty, signifying to them His Majesty's Approbation & Confirmation of the said Agreement in 1683; With such other Directions, as are proposed by the said Representation; And that the said Draughts be presented at this Board, for His Majesty's further Directions thereupon.

JOHN POVEY.

The King to the Earl of Bellomont.

[New-York Entries, C. 122.]

[WILLIAM R.]

Right Trusty and Right Well beloved Cousen. We greet you well. Having considered the reports of Commissioners appointed by you in behalf of our Province of New Yorke on one side, and of Commissioners from our Colony of Connecticut, on the other side, relating to the boundaries of the said Province and Colony, and more particularly in order to the terminating of a Dispute lately arisen about the right of Government over the towns of Rye and Bedford. We have thought fit, with advice of our Privy Councill to approve of and Confirm an Agreement made between the Governments of New Yorke and Connecticut in the year 1683, and a Survey made in pursuance thereof for the settling and fixing of the said Boundaries, by which the foresaid Towns of Rye and Bedford are included within the Province of New Yorke, and are accordingly for ever hereafter to be and remain under the Government of the said Province. We do therefore hereby require you to take care that our Royal Will and pleasure herein be punctually observed, according to Our Order in Council of the 28th Instant, which is herewith transmitted unto you. So We bid you heartily farewell. Given at Our Court at Kensington the 29th day of March 1700 in the Twelfth Year of our Reign.

[By his Majesties Command
JERSEY.]

The words within brackets in the above Document, are added from the entry in *New-York Council Minutes*, VIII., 252.—ED.

Confirmation of the Agreement and Survey of the Line between New-York and Connecticut.

[New-York Council Minutes, VIII., 249.]

At the Court at Kensington the 28th Day of March 1700.

PRESENT— The KING'S MOST EXCELLENT MAJESTY.

Lord Arch Bishop of Canterbury	Earl of Tankerville.
Lord Chancellor	Earl of Jersey
Lord President	Lord Ferrers.
Duke of Bolton	Lord Lexington
Lord Great Chamberlain	Mr Secretary Vernon
Earl of Stamford.	Mr Montague

WHEREAS at a Council held at Fort James in New York, the 23d of November 1683 Certain Articles of Agreemt were concluded, Between Collonel Thomas Dongan, then Governour of that Province, and the Council of the said Province On one side, and Robert Treat Esqr Governour of the Collony of Connecticut, Major Nathaniel Gold, Captain John Allyn Secretary, and Mr William Pitkin in Commission with him from Connecticut on the other side, in the words following:—

It is agreed that the Bounds Meers or Dividend between his Royal Highness's Territories or Province in America and the Collony of Connecticut for ever hereafter, shall be att a Certain Brook or River called Byram Brook or River, which River is Between the Towns of Rye and Greenwich, that is to say, att the Mouth of said Brook, where itt falleth into the Sound, att a Point called Lyons Point, which is the Eastward Point of Byram River, and from the said Point to go, as the said River Runneth to the Place where the Common Road or wading Place over the said River is, And from the said Road or wading Place, to go North, North West into the Countrey, so farr as will be Eight English Miles from the foresaid Lyons Point; And that a line of Twelve miles being measured from the said Lyons Point, according to the Line or General Course of the Sound Eastward, where the said Twelve miles endeth, another line shall be runn from the Sound Eight Miles into the Countrey North, North West, And also that a Fourth line be runn, that is to say, from the North most End of the Eight Mile Line, being the third mentioned Line, which Fourth line, with the first mentioned Line, shall be the Bounds, where they shall fall to Runn; And that from the Eastward End of the Fourth mentioned Line (which is to be Twelve miles in length) A line Parralel to Hudsons River in Every Point, twenty Miles distant from Hudsons River shall be the Bounds there Between the said Territorys or Province of New York and the said Collony of Connecticut, so farr as Connecticut Colony doth Extend Northwards, that is to the South Line of the Massachusetts Colony. Only itt is Provided, that in Case the Line from Byram Brooks mouth North, North West Eight miles, and the Line that is then to Run twelve miles to the End of the third forementioned Line, of Eight miles, do diminish or take away Land within Twenty miles of Hudsons River, that then so much as is in Land Diminished of Twenty miles from Hudsons River thereby shall be added, out of Connecticut Bounds unto the line afore mentioned Paralel to Hudsons River, and twenty miles distant from it, The Addition to be made, the whole length of the said Paralel Line and in such Breadth as will make up Quantity for Quantity, what shall be Diminished as aforesaid—

That what Arrearages are due from the Town of Rye, to the Collony of Connecticutt for former years, and the present years Rate shall be paid to Connecticut.

That two Surveyors be appointed, the One from New Yorke, and the other from Connecticut to make a Survey and Run the before mentioned Lines Partitions Limits and Bounds, Between His Royall Highness's Province of New Yorke, and the Collony of Connecticutt, And the Surveyors are to meet att the Town of Stanford on the first Wednesday of October next ensuing, and to be directed by one of the Council, and two more, Commissionated from Each Government

That if it shall please the Kings Majesty and his Royall Highness to accept and Confirm these Articles, they shall be good, to all Intents for Ever, Between His Royall Highness and his Heirs and Assigns, and the Corporation of Connecticut and their Successors, And this Agreement to be in full force Power and Vertue, from the Day of the date hereof. In Wittnes whereof the parties above mentioned have to these Presents Interchangeably Sett their hands and Seals, att Fort James, in New Yorke the 28th day of November in the Thirty fifth year of his Maties Reign, Annoq Domi 1683.

And Whereas in pursuance of the aforesaid Agreemt an Actual Survey of the Lands and Places therein mentioned was also made and Reported by the Surveyors and Commissioners appointed for that Service in the words following—

By Vertue, and in pursuance of a Commission bearing date the 26th Day of September 1684 From the Rt Honble Coll Thomas Dongan, Governour General of All his Royall Highness's Territories in America &c.

Wee under Written did upon the first Wednesday of this Instant October, meet att Stanford, Major Nathaniel Gold, Captain Jonathan Sileck, Ensign Daniel Sherman and Mr John Herriman Surveyor, Commissionated by a General Court, held at Hertford, as by the Commission they produced, bearing Date, May the 8th 1684 doth fully appear, Wee went to Lyons Point, on the East side of Byram River, and from the mouth of said River where itt falls into the Sea, Wee measured up said River, and found itt to be One Mile and a half, and Twenty Rodds, bearing North, half Easterly, and so came to a great Stone att the wading Place, where the Road Cutts the said River, thence directed Our Course, North, North West Six miles and half, and there marked three White Oak Trees, as in the Margent, then directed Our Course West, and by North, Seaven miles, and One hundred and Twenty Rodds, which brought us to the Norther most End of a Reach of Hudsons River, which bears wee Judge, South and by West, a Quarter Westerly, and North and by East, a Quarter Easterly, which abovesaid Line falls upon the said Reach about Three miles above Frederick Philipp's upper Mills over against Tapan, And the said River bearing North as to its General Course upward, Wee concluded the above mentioned West and by North Line, to be the Shortest from said Three mark'd Trees to Hudsons River, and having unanimously concluded that part of the Sound, from Lyons Point Easterly, to bear East North East, Wee did from said Trees, att Eight miles distance, Runn a Paralel to the Sound, (vizt) East North East, twelve miles, and Still continued said Twelve mile Line, East North East, One mile and sixty ffour Rodds, which then gaue us twenty miles from Hudsons River, and is Eight miles North, North West from the Sound, Then finding the Oblong of twelve miles, East North East, and Eight miles North, North West, did Diminish Sixty One Thousand, Four Hundred Forty Acres from the Twenty miles from Hudsons River, wee added to the abovesaid twenty miles upon the East North East Line Three hundred and ffiue Rodds more to Runn att the

C. R

Additional Breadth Paralel to Hudsons River, till it meet with the Massachusetts line, which wee Deemed One hundred distant miles from Our Eight mile Line, which Severall Courses with their Distances, together with three Hundred and ffiue Rodds added, do clearly appear in the Platt by the Surveyors drawn, and hereto Annexed, which Addition of three hundred and ffiue Rodds, wee referr for its confirmation and Ratification to the Two Governments, from whence wee are Imployed; And that the above written is a true Report of Our Proceedings, Wee have this Tenth of October the year above Written, Subscribed Our Names.

John Youngs, John Bell Phillip Wells Rob[t] Vorklain	Comm[rs] for New York	Nathaniel Gold Jonathan Sileck Daniel Sherman John Hariman	Comm[rs] for Connecticut

And forasmuch as the Lords Commissioners of Trade and Plantations have represented to His Majestie upon occasion of a Late difference and Dispute between the said Province and Colony, relating to the Right of Government over the Towns of Rye and Bedford, lying on their Borders, That itt may be Necessary for Terminating of that Difference and preventing all future Disputes about the Division Line and Boundaries between the said Province and Colony, that His Majestie would please to declare His Royal Approbation and Confirmation of the said Agreement and Survey, His Majesty is graciously pleased with the Advice of His Privy Council to Approve and Confirm the same, And pursuant to His Royal Pleasure thereupon, Signified and Expressed, the said Agreement and Survey, are hereby Approved and Confirmed accordingly; whereof the respective Governments of New York and Connecticut, The Towns of Rye and Bedford, and all Persons whom it may concern are to take due notice and to conform themselves thereunto.

John Povey.

Lords of Trade to the Earl of Bellomont.

[New-York Entries, C. 142.]

To the Right Honourable the Earl of Bellomont His Majesties Captain General and Governor in Chief of His Majesties Provinces of the Massachusets Bay, New York and New Hampshire in America and the Territories thereupon depending &c[a] Or to the Commander in Chief of His Majesty's Province of New York for the time being.

My Lord

Our letter of the 21[th] August last was upon many heads occasion'd by a review of all the letters we had received from your Lordship till that time. Those we have writ since were dated the 30[th] November and the 7[th] & 16[th] of February last; And as we have sent Duplicates of all, we think it needless to repeat any thing.

We have further received many letters from your Lordship whereof those relating chiefly to New York are dated the 13[th] of April, the 17[th] of April, the 27[th] April and the 8[th] 12[th] and 16[th] May; The 3[d] of May, the 13[th] May, the 15[th] May; The 22[th] July, the 24[th] August, the 20[th] of

October, and the 5th of January last, together with one to our Secretary of the 15th of September last, and the Report of the Commissioners of New York and of Connecticut relating to the Boundaries of those Colonies, which we received from Mr Weaver.

Your letters relating chiefly to the Massachusets Bay, are dated, the 8th of July, the 26th July, the 28th August, the 24th of October; And the 29th November last, together with one to our Secretary of the 6th and another of the 30th November last.

Your letters relating chiefly to New Hampshire, and dated the 9th of September the 25th of October, and the 22th of November last.

And besides these we have also received your Report about the Misdemeanors of the Government of Rhoad Island, dated the 27th November last, and your letter relating to the Controversy between Rhoad Island and Conecticut about the Naraganset Country, dated the 18th November last.

As to New York.

We are glad to perceive by your Lordship's letter of the 22th July, that the uneasyness you had been under in relation to the Conduct of the 5 Nations of Indians with the French of Canada, was then over, and that you found them in good humour, and resolved to remain steady in our friendship. We doubt not therefore but you will be able to keep them so; And as to the Insinuation which you say in your letter of the 24 August, had been made to them of your Correspondence with the Governor of Canada in order to their ruin; tho' it be never so groundless, yet we think it advisable for preventing the ill· effects of such reports, and the growth of many humours amongst them, to the prejudice of His Majesties affairs. That you endeavour to have always some persons whom you can trust conversant amongst them (either about Trade or upon any other Pretence) who may be serviceable for that end, and have some smal allowance for it, out of the Public Money of the Province. And if any thing can be procured from those of the Corporation for Evangelizing the Indians, at Boston, As we desired in our letter of the 21st of August last (and which your Lordship writ us you intended to endeavor) it may be of good use for this end.

The most effectual thing to preserve those Indians in perfect friendship with us would undoubtedly be (as your Lordship writes) the building of some Forts in proper places on the Frontiers and the letting them see a force constantly maintained in the Province capable to defend ourselves, and assist them upon all occasions.

But we have formerly acquainted your Lordship with the reduction of the Soldiers from 400, to 200 Men; And Mr Weaver and Mr Champante will doubtless have sufficiently acquainted you with the difficulty they find in procuring even subsistence for them; Thô we have been always ready to give Mr Weaver what assistance we could, as we shal hence forward do the like to Mr Champante; And do believe our application to the Treasury was of some use in the payment last obtained of what was due for their subsistence from March till December 1699. And as for what is due for their Arrears till March 169$\frac{8}{9}$. They are in the same Case with all the rest of the land Forces who by an Act past this Session of Parliament are to be paid by Debentures upon forfeited Estates in Ireland.

As for the Forts, your Lordship does seem in your letter of the 3d May to expect that a Fund might be raised out of Colonel Fletcher's Debt to the Crown, towards the building of them; But in your letter of the 15th May we observe that by your Departure from New York to Boston, and the imbezlement of some Accounts in the Assembly, by which that Debt might have

been stated, there was a stop put to it; Wherefore we again desire your Lordship, thó you should not yourself be returned to New York, to give strict Orders to your Lieutenant Governor and Council there, to proceed in stating and auditing those Accounts in the best manner, And besides what may be raised thereby, you are to use your utmost endeavors with the Assembly of that Province to dispose them to provide for the repairing and erecting of Fortifications in the places where you judge them to be most needful.

As for the new trade which your Lordship proposes in your letter of the 13th April to be sett on foot with some Western Indians lying on the back of Maryland and Virginia, We have writ both to Colonel Nicholson and Colonel Blakiston about it, with our opinion that they will do well to promote the same, provided it do not interfere with the planting of Tobacco, which in those Provinces is to be preferred before all other things; And we intend now to write to them again, upon occasion of what you inform us in yours of the 20th October of those Western Indians, having kill'd 5 of our Seneca Indians, that they may use their indeavors to prevent any such like mischief for the future; But in the mean while, however that prove, we are very well satisfied with your Lordship's reasons for not complaining of that injury to the Governor of Canada. And as for your desire to have His Majesties leave to meet those Governors at Philadelphia, without forfeiting the half of your salary and Perquisites during your absence from your Governments, We are ordered by His Majesty accordingly to signifye to your Lordship his leave for your meeting the said Governors at Philadelphia, or in any other place that shal be agreed on.

We are very sensible of the difficulties your Lordship has mett with from the opposition of those Men who find themselves uneasy by the Alterations you have made in Public Offices, and by your conduct in respect to Trade, Grants of Lands and otherwise, And of what has passed here of the like Nature, Your Lordships correspondents and agents will give you a full Account; In which we assure your Lordship, that nothing has been, or shal be wanting on Our parts in your Lordship's behalf.

We do likewise observe what your Lordship writes in your letters of the 27th April and 15th May about the conduct of those Men, in or relating to the Assembly. Their opposition to the settling of the Revenue, and the assistance you found from others in that important service. And are therefore very well satisfied with your conduct in all that matter.

The Acts of the General Assembly that you have sent us are yet with Mr Sollicitor General for his opinion in point of law. So that we have not hitherto been able to lay our opinion upon any of them before His Majesty; but in the mean while as the vacating of the extravagant Grants of Land has been done in pursuance of the Lords Justices Directions, We cannot but commend your Lordship's care therein, and exhort your Lordship to continue the same in the next Assembly. And we conceive it will be also necessary that you endeavor in any New Act of that kind to have the Rate of Quit Rents, and other things relating to the Grants of Lands (which cou'd not conveniently be put into the first) regulated and settled, as you propose in your letter of the 24th August. If the Assembly there be absolutely averse to those Regulations some method must in the End be thought upon to do the thing here; but it wou'd be much better that all this matter were settled there; And therefore at present we leave it to your care.

We have considered all that your Lordship writes concerning Naval Stores to be furnished from the Province of New York, And upon your desire that a copy of your letter of the 17th April should be communicated to the Lords of the Admiralty we sent them not only that, but

also Extracts of your Letters of the 24th Augt and 20th October which relate to the same subject. We are very sensible that your Lordship's care and pains in getting informations calculating thereupon, and forming the scheme of methods and incouragements for carrying on that work have been very great: And we shou'd be glad to see that business put in execution. But as the charge of what you propose for the whole is too great to be undertaken without very good assurance of it's answering the end aimed at, We desire your Lordship to make what essay you can with the men now there, according to your own proposal in your letter of the 20 October and in this experiment also, it will be very well that proof be made of the method which you mention in the same place for floating Masts of the largest size down the great fall above Albany; And that computation be carefully made att what rates such great Trees may be delivered on ship board at New York.

And whereas your Lordship mentions an ill custom in that Province of burning Woods, to clear the lands at less charge, which will be of ill consequence in regard to the production of Naval Stores, We think it not enough that you issue a Proclamation against it (as you say you have done against the cutting of Trees fit for masts for His Majesties ships) But that you endeavor also to get an Act of Assembly past for the preventing of that Mischief.

We have considered what you write in your letters of 13th May and 20th October relating to Colonel Depeyster's buying the ship Fortune, The mistake that led him into that bargain, And His Majesty's Council buying the said ship again (since your Lordship's absence from New York for His Majestyes use, and reimbursing him the cost and charges that he had laid out upon her. And we are of opinion that whether that happen'd by the ignorance of the Attorney General as a private lawyer, or otherwise, the loss that Colonel Depeyster was like to have suffered thereby, ought not to have been thrown upon His Majesty, Wherefore your Lordship will do well for the future to take all possible care that no such irregularities be committed there in your absence.

All that your Lordship has writ us in your several letters about pirates has been very useful, And we have accordingly laid before His Majesty divers representations of your Lordship's care in the taking of Kidd, Bradish, Gillam, and others, with an Account of Shelly and many other things of that nature, concerning all which matters His Majesties Directions have been sent you; And as we doubt not of your continuing your endeavors for the suppression of Piracy so we hope (amongst others) to have some good Account of the seizing of those pyrates, which, in your letter of the 22th of July were sheltred with a great deal of mony in Nassaw Island. Tho' we are very sensible of the Difficulty to do it in a place where they are so much favoured.

As for the Desire you express in your letter of 3d May, to have His Majesties leave to pardon Lieut[t] Colonel Pierson, for having had some pirates goods in his hands, We have laid it accordingly before His Majesty by the Earl of Jersey, who has return'd us answer; That His Majesty is pleased to allow your Lordship to pardon the said Colonel Pierson, provided he has delivered up all the effects he had in his hands belonging to the said pirates.

We are sensible by the many Instances your Lordship has given us in all your letters, with relation to the ordinary course of Justice, His Majesties Revenue, Trade, Pyracy and every thing else, of the great want of some able lawyers, especially One for a Chief Justice, and another for an Attorney General in that Province, And having thereupon represented to His Majesty Our opinion that two may be sent from hence to supply those places, and that an Establishment may be made here of a suitable allowance for their encouragement we send

your Lordship hereinclosed a copy of Our said Representation, and of the Minute of Council thereupon.

In the mean while, however, if you do find reason to believe that Colonel Smith the Chief Justice of that Province be guilty of abetting pirates, your own prudence in making use of the powers of your Commission will be your best guide. And as for Mr Clarkson's Insolence in stricking Mr Parmiter in the King's House your Lordship has a sufficient authority to punish such crimes.

As to the requiring of Bonds for ships putting out to Sea, that they will not go to Madagascar, or other places where pirates frequent, We do conceive that where your Lordship is at liberty to give or refuse passes, and where you have cause of suspecting their being intended for such places, the best means to prevent it will be by forbearing to give such passes unto those who refuse to give such bonds.

In answer to what your Lordship writes in your letters of the 15 May and 5th January, relating to the endenizing of Foreigners we can add nothing to what you will find in the order of Council on that subject, which we sent you in our letter of the 16th February last.

We observe what your Lordship writes in your letter of the 24th August, relating to the reversal of a Judegmt given by Colonel Fletcher in favour of Mr Alsop against the Widow Wandal, which shal be considered whenever there may be occasion. But in the mean while as your Lieutenant Governor and the Council made a very wrong step in refusing Alsop an Appeal to His Majesty from your Lordship's Judgment in that case, We commend your Lordships care in removing that obstruction. For His Majesty's Ear is always open to justice, and there must be no stop laid in the course of it.

We have proposed your Querie about Seamen's Wages occasioned by the condemnation of the ship Hester, to His Majesties Advocate General, And when we receive his answer shal acquaint your Lordship therewith.

Thô the observations made by Mr Parmiter upon the Revenue Act, which you send us in your letter of the 20th October are proper for our Information; yet wee cannot give any Directions upon them. Your Lordship being upon the place is best capable to judge of their usefulness, and to get remedies for the Defects in that Act by some Additional and Explanatory Bill, when the Assembly may sitt again. But if the Assembly prove Refractory in that matter, it may then perhaps be fit to think of providing some remedy by Act of Parliament here, And your Lordship in your own prudence will judg whether it may not be convenient in the mean while to tell them so.

As for the Colony of Connecticut's having refused to submit to your Lordship's Admiralty Power, We conceive that the Bill proposed to be passed there, thô it be Enacted will no ways effect that power. But besides what has been directed by His Majesties forementioned letter relating to pirates, there is an Act now passed this Session of Parliament here, for the suppression of Piracy, which will be your Lordship's guide in all those matters.

We have upon your Lordship's desire represented to His Majesty our opinion, that Mr Robert Walters may be confirm'd by His Majesty in the place of a Councellor in that Province into which your Lordship had admitted him. But as for Mr Ducie Hungerford, we find by your letter of the 5th January last, to the Commissioners of the Customes, that your Lordship has changed your opinion of him.

Upon this occasion of mentioning Councellors, and because of the many alterations that have been made in the Council of New York, and the reasons that your Lordship has often found to

change your opinion of men, we think it wou'd be very useful that your Lordship send us frequently lists both of the names of the Councellors that are in place, and of others fit to supply vacancies, with notes upon each name, either in confirmation of the opinion you may have formerly given us thereupon, or signifying the reason of your changing it, for this in seperate lists (besides whatever you may think fit to write in the body of your letter) will be always ready for us to have recourse unto.

As for the ships of war to attend your Governments which you mention in several letters, and more particularly, in that of the 24th August, desire that there may be a 4th and 5th Rate, We find after our applications therein that no other than a 5th and 6th Rate are thought proper for that service.

We have lately laid before His Majesty a state of the Controversy between New York & Connecticut about the towns of Rye and Bedford; And His Majesty having been pleased to approve of our opinion therein, We prepared an Instrument for confirming the Agreement made between those Governments in 1683 relating to their Boundaries, one of which, with His Majesties Royal Confirmation in Council will be sent to you, and another to the Government of Connecticut, by the Earl of Jersey.

We acquainted Mr Weaver with your Lordships complaint in your letter of the 24th October, of his too long stay in England; For which he excused himself for some time, by the necessity of his solliciting the payment of the subsistence, for the Soldiers, But promised us to make all the dispatch possible in order to his return to New York.

We writ you in our foresaid letter of the 21st August that we supposed Mr Livingston's case, upon which you had sent us your report, to have been settled at New York, But having since been attended by a Sollicitor in his behalf, we directed him to lay the same before His Majesty by a Secretary of State which we conceive to be the proper method.

We shal be glad to receive the account of the Militia in all your Governments, which you promise in your letter of the 5th of January.

What relates to New England &c. We shal make the subject of another letter; And have only here to add our great satisfaction in your Lordship's care and application in the discharge of the Government; And shal be always ready to be assisting therein to your Lordship by our Advices and otherwise, Hoping your Lordship has already surmounted the greatest Difficulties. We are

My Lord,
Your Lordship's most
humble servants
STAMFORD.
LEXINGTON.
PH. MEADOWS.
Wm BLATHWAYT.
JOHN POLLEXFEN.
ABR: HILL.
GEORGE STEPNY.

Whitehall
April 11th 1700.

P. S. Upon further consideration of what your Lordship writes about the reversal of the Judgment given by Colonel Fletcher and the Council of New York in favour of Mr Alsop, against the widdow Wandell, we cannot but observe to your Lordship that we do not know that it has been the practice any where in the Plantations for a succeeding Governor to

reverse Judgments given in that manner by his Predecessor; and are apprehensive least a President of this nature should prove of ill consequence; For the Governor and Council in each Plantation being the supreme Judicature, it wou'd create endless doubts and perplexities amongst the Inhabitants, if their judgments were liable to be reversed any otherwise than by Appeal to His Majesty in Council; Which being the established method for the relief of those that think themselves aggrieved in such like cases, it ought to be observed accordingly.

His Majesties forementioned letters relating to the boundaries between New York and Connecticut are both of them here enclosed, that your Lordship may take care the letter for the Government of Connecticut be sent to them by some sure conveyance.

Since the finishing of this letter we have received Sir Tho. Pinfold's answer to your Lordship's Querie about Seamen's Wages; and therefore send it you here enclosed.

Earl of Bellomont to the Lords of Trade.

[New-York Entries, C. 252 — 262.]

To the Right Hon^ble^ the Lords Commissioners for Trade and Plantations.

My Lords,

I gave your Lordships an Account of the allarm the Country were in, of a General Insurrection of the Indians, in my letter of the 28^th^ of February last by the Advice Frigat, In my letter to your Lordships of the 6^th^ of last month by the said Advice Frigat, I also acquainted your Lordships that the Council advis'd my letting the General Assembly meet and sitt the 13^th^ of the said last month (the day to which I had formerly prorogu'd them) to provide against all attempts of the Indians which accordingly I did comply with, the discourse I made the Assembly goes (No. 1.) the Laws we pass'd are (No. 2.) We sate but nine days, and in that time pass'd twelve Acts, which was such a dispatch as was never known in this Province. I remembered your Lordships' Commands to me in your letter of the 3^d^ of February $\frac{1698}{1699}$ to avoid as much as possibly we could the passing of temporary laws and renewing them from time to time, a fault your Lordships' observe the Assembly of this Province are much addicted to. Most of the laws we pass'd this last Session, being Military ones, we were willing to follow the example of the Parliament of England in making them to cease and determine after a year; and therein I believe your Lordships will not blame us; I confess I was in my Judgment for those laws being made temporary for the same reasons I was so in the Parliament of England. Yet there is one of the Military Laws (viz^t^ That against deserters) which we have made perpetual, because there is no hazard in it, for it cannot operate but in time of allarm or actual war, when forces are raised. The 8^th^ 9^th^ and 10^th^ Acts as they stand in the Booke of Laws now sent, (whose Titles I omitt for brevity's sake) are also made perpetual. The 11^th^ and last of the publick Acts, is intended a probationary Law, and is made to have continuance for three years only. The Assembly were not willing to make it perpetual, till they should first make an experiment of it how well it would answer the ends proposed thereby.

The 14^th^ of last month I issu'd a Proclamation for undeceiving the Indians, and quieting their minds under the Terrour and apprehension they were made to have of the King's ordering

them to be disarm'd and cut off; and also requiring the English in the Country to carry it towards them with kindness and moderation in order to dispossess them of their ill grounded fears, which Proclamation is (N° 3.) I sent this Proclamation to all parts of this Province by expresses, even as far as Casco Bay where I understood there was got together a number of the Eastern Indians; and those people pretended to receive great satisfaction from it. But whether the sudden march of the forces I order'd to the Frontier Towns did not operate more effectually to the prevention of their ill designs, than my Proclamation did, is a question with me.

I send a Proclamation for a Fast to be observ'd in this Province the 25th day of this Month, it goes (N° 4.) and also a Proclamation for dissolving the late General Assembly, which is (N° 5) No body here doubts but the Indians within this Province, Conecticut Colony, and those call'd Eastern Indians, intended an Insurrection against the English, and if the Five Nations were not concern'd in the design (which I shall shortly know, thò at present I do not) there is good reason for suspecting the Schacthook or River Indians who are a distinct Nation from the other Five and live at the Head of Hudson's River above Albany. I have had a great many accounts from several of the Indians' designing mischief to us, but I will only transmit to your Lordships those accounts I thinke most materiall, with my foremention'd letter to your Lordships of the 28th of February by the Advice Frigat. I sent the Information of one Mr Sabin, I now send a further information of his (No. 6.) which among other things, confirms me in the opinion of the Indians being stir'd up by the Governour of Canada and his Jesuits. It would be tedious to animadvert on the several papers I now send, therefore shall submit them to your Lordships' perusal and reflection. Mr Dwight's letter with a postscript in the same letter sign'd by Mr Benjamin Sabin &c goes (N° 7) Mr Dwight is Minister of Woodstock a Town in this Province bordering on Conecticut. I send a letter from Mr Storer, Mr Wheelwright, & Mr Hammond (N° 8.) and a Memorial by Lieutenant Rayment (N° 9.)

Because Coll. Schuyler's letter of the 1st of February (a Copy whereof I sent your Lordship with mine of the 28th of the same month, by the Advice Frigat) assur'd me that the Five Nations were quiet and satisfied, I was not so expeditious in sending to Albany to inquire after those Indians, as otherwise I should have been. Yet I thought it proper to write to the Commissioners at Albany for the Indian affaires, a Copy of which letter is (N° 10) and therein I direct their sending Coll. Schuyler, Mr Livingston, and Mr Hanson (three of the said Commissioners) on a Message from me to the Five Nations; I also at the same time sent Instructions which the said Messengers are to observe and follow in their negotiation with the Indians, which Instructions goe (N° 11). I hope this message will have a good effect for keeping the Indians steady in their obedience to the King, at least for the present, till your Lordships direct me to do such things for their incouragement, as I have formerly propos'd.

In Answer to my said letter and instructions, I received a letter from the Commissioners at Albany which goes (N° 12.) also a letter from Mr Livingston, (N° 13.) and the Examination of the three Indian Sachems taken at Albany, goes (No. 14.) Your Lordships may observe in these two last mentioned letters from the said Commissioners and Mr Livingston, they express a jealousy of the French Missionaries tampering with our Five Nations. 'Tis but too apparent that we are in a probable way of loosing them; and the King seems to slight the Indians too much, when instead of taking measures to secure their affection and obedience, by protecting them from the French, the few ragged Souldiers are to be reduc'd, and the miserable woodden Forts suffer'd to fall with meer rottenness.

I pretend to be able to demonstrate that if the Five Nations should at any time in conjunction with the Eastern Indians and those that live within these plantations, revolt from the English to the French, they would in a short time drive us quite out of this Continent; and the reason is plain, for their way of fight is not to come hand to hand, or to present their bodies to their enimies, but they lye sculking in the woods behind bushes, and flat on their bellies, and if those they shoot at drop, then they run and scalp them, but if they perceive they have miss'd their shot, they run away without being so much as seen (for the most part) by those they shoot at, and 'tis to as much purpose to pursue 'em in the thick woods, as to pursue birds that are on the wing. They laugh at the English and French for exposing their bodies in fight, and call 'em fools. At my first coming hither I us'd to ridicule the people here for suffering 3 or 400 Indians to cut of five times their number of them; but I was soon convinc'd that it was not alltogether for want of courage and conduct in the English that gave the advantage to the Indians this last war, but chiefly the Indians manner of birding (as I may call it) the English, and using the advantage of the woods and fastness for shooting and then sheltering themselves. Yet the Government here were faulty too, they did not push the war vigorously enough against the Indians, which gave them boldness, and discourag'd the English; another misconduct was, that upon every slight application of the relations of those men that were out upon service against the Indians, the Government yeilded to their coming home, and raw men were sent in their places, who by being unacquainted with the Indian way of fighting, contracted such a dread of 'em, that they often proved cowardly. If (as I have said) there should be a general defection of the Indians, the English in a month's time would be forced on all the Continent of America to take refuge in their Towns, where I am most certain they could not subsist two months, for the Indians would not leave 'em any sort of Cattle or Corne. Whatever were in the fields the Indians (for the reasons I have given before) would be absolute Masters of. Mr Sabin's Informations (first and second) are worth your Lordships observation and there is something in this last Information of his (for his first I sent you by the Advice Frigat) which I have mark'd with lines, that looks as if the Indians or the French and they had in their thoughts what I have been now saying is my apprehension. Mr Sabin seems to be a sober discreet man, and I cannot believe he would be at the pains to come two journies of 150 miles each, to tell me an untruth.

Your Lordships know the value of these plantations to England, thô I am confident 'tis what is known but by few besides. I am every day more and more sensible of it, and 'tis great pity the King is not made to have a right notion of their usefullness and advantage to the Crown. I reckon the French have been and still are with indefatigable pains undermining the interest of England on all this Continent. I believe your Lordships will be of opinion these Plantations are not in a certain state of security at this time, how then comes the King to be so ill advis'd to order the breaking (or at least reducing) two of the four companies at New Yorke, and that they are no better paid than if the Government were in no concern what became of the Province or People. Yet I will be bold to say, that should these Plantations be lost by neglect, it would be an irreparable loss to England, and would tarnish all the great things the King has done for the Nation. What return I have to the message I have sent to the Five Nations, I will communicate to your Lordships by the first opportunity, the Persons that I employed expected to be a Month abroad in performing that Journey. I drew the letter and instructions with my own hand, because I would omit nothing that I thought necessary for them to do, and me to know.,

I had like to forget a bill sent up by the House of Representatives for mine and the Council's passing, the title is (An Act in addition to the Act against Piracy and robbing upon the sea) and it goes (N° 15.) it was intended to make Piracy punishable with death, and to patch up their present law which your Lordships know will not touch the life of a pirate. But I told the Council I would by no means give the assent to any bill of that nature, till I knew the King's Pleasure upon the miscarriage of the bill which your Lordships sent with me, entitled an Act for restraining and punishing Privateers and Pyrats, which the Council refus'd formerly.

I am with an entire respect
My Lords
Your Lordships most humble and
Boston obedient Servant
the 20th of April 1700. BELLOMONT

Representation of the Lords of Trade to the King.

[New-York Entries, C. 199.]

To the KING'S MOST EXCELLENT MAJESTY.

May it please your Majesty

We have received from the Earl of Bellomont your Majesty's Governor of New England and New York a letter dated the 28th of February last past, giving us an Account of an Alarm they had there of late of a General Insurrection and Rebellion of all the Indians in all those Provinces intended to be this present Month of April or sooner, which had mightily frighted the English, especially those that live in the frontier towns and places who are forced to be on their guard and in arms, which had been occasioned by a rumour spread among the Indians by the Governor of Canada and the French Missionaries that your Majesty had ordered the 5 Nations and all the Indians in those parts to be disarmed in order to a total Extirpation of them. The said Governor and Missionaries having published over all their Provinces a copy of your Majestyes letter to the Earl of Bellomont sent to that Governor, and perverted the sense of that part thereof relating to the disarming of the Indians to the disadvantage of the English, without discovering to them that their own King had sent the same orders to his Governor, All which will more fully and particularly appear to Your Majesty by a copy of his Lordship's letter and abstract of Informations received by his Lordship relating thereunto.

For remedy therefore of such great mischiefs as may happen to your Majesty's Plantation on the Continent by the defection of your Majesty's 5 Nations, or Hords of Indians and the combination of others with them against your Majestys' Subjects; And to prevent the ill effects of the artifices of the French and their Missionaries in those parts, in drawing them to their Interest, his Lordship proposed the building of a Sod Fort in the Country of the Onondages, one of those 5 Nations, nearest to Cadaracqui, a fort newly rebuilt by the French, the charge of which by the computation of Colonel Romer the Engineer now there may require, 1000 or 1200 Pound, towards which his Lordship desires 500 Pound to be advanced by your Majesty

to begin the Work, and hopes to carry it on with what may be raised in the Province of New York.

His Lordship further proposes, that whereas there are at present no more than 180 private men of the four Companies of Foot now remaining there, which are in a very necessitous condition, They may be made up 400, for the security of this Fort, and of Albany, and Schenectady, which are much out of repair, and that the said Colonel Romer be continued there, with his former allowance for the taking care of the building and repairing of the said forts, notwithstanding the order he has received from the office of Ordnance to return home, And that provision be made for the pay subsistence and clothing of the said Companies.

His Lordship does likewise think it absolutely necessary that your Majesty would be pleased to order the sum of 800 Pounds to be laid out in buying the usual Presents for the 5 Nations, whom his Lordship may meet att Albany, to make them sensible of the ill practices, of the French, and their designs in alienating their affections and stirring them up against your Majesty and your Subjects.

Upon consideration of all which we cannot but agree with his Lordship in the several particulars proposed by him for your Majesty's service on this Extraordinary occasion, humbly offering that the foresaid sum of 500 pounds be advanced by your Majesty out of your Office of the Ordnance, or otherwise, towards the immediate building of a Fort in the Onondage country for the reasons mentioned by his Lordship, and the rather for that the French are now very busy in carrying on their fortifications in those parts, and particularly of Cadaracqui & Montreal.

And whereas his Lordship does propose that the present number of 180 men, many of which are unfit for service, may be made up 400 able men, to be employed as well towards the building and repairing of the several forts as the further security of that Country; We do believe such a number of men, very necessary; But in case your Majesty shal not think fit to order that number of men from hence; We do humbly offer that the 4 Companies now there, consisting by the Establishment of 50 in each Company, may be made up 200 men effective besides officers; And for replacing the Men unfit for service,

That 100 men may be sent from hence under the command of two Lieutenants and non commission officers, proportionable, to put those Companies into a Condition of Service, And that the pay and Subsistance due to the said companies from the time they are to be satisfied their arrears by Debentures upon Ireland, may be duly paid and answered to their use, They being under a debt contracted with the Victualers and others concern'd in their support, for no less than 10,000^{lb} as we are informed by his Lordship, and it being altogether necessary, that a full cloathing be immediately ordered and sent to them. As also that your Majesty be pleased to write letters to the several Colonies of New England to supply the further number of Men demanded by His Lordship for this occasion.

As to the Presents mentioned by his Lordship for the 5 Nations who are the only Barriere between the French of Canada and your Majesties Plantations, as far as Virginia and Maryland, which by such a Combination would be in very great danger, We humbly think the same absolutely necessary at this time to hinder the French from seducing them and turning them against your Majesty's Subjects and that the sum of 800 Pound be furnished by your Majesty, and laid out in the usual species of fire arms, amunition and cloathing for the Chief of those Indians.

And that for the rendring these proposals the more effectual your Majesty may be pleased to order his Lordship to go immediately in person to Albany, there to convene the Five Nations of Indians, and to assure them of your Majesties Grace & Favour, and to undeceive them of the Design of disarming them or any thing else intended to their prejudice, and to do every thing else that his Lordship shal in his Prudence and Discretion find requisite to secure their affections and subjection to your Majesty.

And to the end this service may be performed with all possible speed; We do humbly offer that the several particulars herein proposed may be forthwith provided and taken care of, so that your Majesty's ship the Advice now bound thither may take every thing on board together with your Majesties Orders to the Earl of Bellomont in this whole matter.

All which nevertheless is
Most humbly submitted
LEXINGTON
PH. MEADOWS
Wm BLATHWAYT
Jn° POLLEXFEN
ABR. HILL
GEORGE STEPNEY.

Whitehall
April 24th 1700

Board of Ordnance to the Earl of Romney.

[New-York Entries, C. 224.]

To the Right Honourable the Earl of Romney.

My Lord,

In obedience to your Lordships Commands, We have taken into consideration My Lord Jersey's letter of the 29th April last, signifying his Majesties pleasure the 500lb should be advanced my Lord Bellomont towards the building of a Sod Fort in the Country of Onondage in New England, Whereupon We humbly represent to your Lordship that we are informed several works have been lately done there, and we know nothing to the contrary but they have been performed at the charge of the Plantation and should this mony be sent over, it may involve the Office into a much further expence, and We are afraid your Lordship cannot justifie the sending over mony for Fortifications there, since the Parliament have several times refused to make any provisions for the Plantations whereupon we have great reason to believe the mony given our Office is appropriated by Parliament only for keeping His Majesties Forts and Garrisons of this Kingdom in repair; and it is well known to your Lordship the ill condition they are all in at this time, that certainly all the mony that can be spared by our Office ought to be applied to that service, so We hope His Majesty will think it reasonable that the Planters of New England as well as other Plantations shou'd for their own security be at charge of making this new Fort, & persue the same methods by which their other works have been perform'd.

There has not been any orders sent from Us, to remand Colonel Romer home, but we shal direct him to continue there, 'till His Majesty is pleased to signifye his pleasure for the recalling him, all which is nevertheless submitted to your Lordship's better judgement by

My Lord

Your Lordship's most Obedient

Humble Servants

Office of Ordnance
4th May 1700.

Jon: Charlton. Musgrave.
Wm Boutler. Ja: Lowther.

The Lords of Trade to the Earl of Bellomont.

[New-York Entries, C. 219.]

To the Rt Honble the Earl of Bellomont His Majesties Capt. General and Governor in Chief of His Majesties Province of the Massachusets Bay, New York & New Hampshire in America and the Territories thereupon depending &c. Or to the Commander in Cheif of His Majesties Province of New York for the time being.

My Lord,

As we were finishing our late letters to your Lordship relating to your several Governments, and dated the 11th and 19th of the last month. His Majesties ship the Advice happening to arrive, the letters that she brought were carried to the Lords of Admiralty, and from thence we have received one from your Lordship dated the 28th of Feby last; But another of your Lordship's letters dated the 6th of March last, appearing by the minutes endorsed upon it to relate wholly to Kidd and other Pirates, it remains with the Lords of the Admiralty together with all the Papers belonging to it.

But upon the perusal of your Lordship's letter of the 28th February relating to the Indians, We were so sensible of the great importance thereof, and particularly of the mischeifs to be apprehended from the Combination of the Indians that we thought it our duty forthwith to lay a copy all that part of your Lordships Letter before His Majesty, with our humble opinion or the ordering and expediting such things as we conceived proper on this occasion, which your Lordship will see more at large by the enclosed Copy of the Representation we laid before His Majesty on that matter.

His Majesties Particular Orders thereupon will undoubtedly be sent your Lordship in due time. But in the mean while we think it necessary to acquaint your Lordship in General that His Majesty has been pleased to agree to all our Proposals and even to the making up the 4 Companies at New York four hundred effective men. Viz^{t} with 100 men from the Islands of Jersey and Guersney and 150 men from Ireland, so that in case of necessity your Lordship may have a farther reserve of Assistance from New England. And there shal be nothing wanting in Us to sollicite and hasten the Dispatch of all things requisite on the present

Occasion, not doubting of your Lordship's care to apply every particular to the best Advantage for His Majesties service, We are

My Lord
Your Lordship's
most humble Servants
STAMFORD
PH: MEADOWS
Wm BLATHWAYT
Jno POLLEXFEN
ABR: HILL
GEORGE STEPNEY

Whitehal
May the 10th 1700.

Earl of Bellomont to the Lords of Trade.

[New-York Entries, C. 262—274.]

To the Right Honble the Lords Commissioners for Trade & Plantations.

My Lords

I had begun a letter to your Lordships to satisfie you of the faisibility and cheapness of making Tar for England and all the King's Dominions, which I intended to demonstrate as plainly as figures can do it; and not only Tar but also Masts and Ship Timber of all sorts, for which I have sufficient vouchers by me. Upon the whole matter, I am very confident I shall be able to satisfie your Lordships that the King will be furnished with all the above sorts of Naval stores for halfe what they cost him at present, or within a small matter of it, taking one sort with another. And I am further of opinion that the whole East land Trade (I mean for all Naval stores) except Flax and Hemp, may be turn'd this way, not only for the use of the King's Navy, but also for all the King's Dominions, and that even to Dead Boards; and how unspeakable an advantage that will be to England in the saving above a 100,000£ sterling per annum which the Merchants here tell me is exported from England in specie by the East land Merchants but that, or near that summe will be gain'd by England in the sale and yearly exportation of it's manafactures, when that trade is once turn'd hither to the Plantations. These things I was actually ingag'd in, when several cross accidents and misfortunes came upon me.

In the first place two shipps newly arriv'd here from London, and a Merchant of this town coming passenger in one of them, tells me he call'd on Mr Weaver who told him he had some packets from your Lordships and the rest of the Ministers for me, but that he would send them in a ship bound to New Yorke; if Mr Weaver had been at his post of Collector he had not been in the way of doing me a most sensible mischief by his so wrong and faulty a Judgment. I am by his means depriv'd not only of your Lordships orders upon my several letters of the 13th 17th & 27th of April 1699 and of the 3d 13th & 15th of May 1699 all which related to the affairs of New Yorke, but also of your Lordships' Orders upon all my letters relating to this Province, & more especially mine of the 28th of last August, which gave an Account of the miscarriage of the bill for restraining and punishing privateers and pirats,

which your Lordship sent with me and order'd I should recommend it to be pass'd here into a Law by the General Assembly, so that within three days the Assembly being to meet and sit, I have no orders from the King or your Lordships' to produce, in maintenance of my proceeding with the Assembly touching that Bill, & the point of nomination of Officers which was contested by the Council. This is a great discouragement. Another is that I am unprovided of all manner of assistance to serve the King and defend the Country, hearing nothing of an honest able Judge and Attorney General, which I have so often begg'd might be sent, and being destitute of mony and soldiers. These ill circumstances afflict me the more because of the news I have had from Albany (upon the return of the Messengers I sent to the Five Nations) which I believe your Lordships will think is melancholy enough; and that those Indians are in a staggering condition. M^r^ Livingston's letter to me of the 3^d^ instant is (mark'd A) his observations in his journey to the Onondage's Castle are (mark'd B) wherein I more especially recommend to your Lordships consideration two particulars, which I have mark'd with lines, viz^t^ the hellish practice of poisoning our Indians, set on foot without doubt by the French; and what M^r^ Livingston observes about the neglect of demolishing the Fort of Cadaracque in Coll. Fletcher's time, which I perceive by one of your Lordships Representations to the King (a copy whereof you are pleas'd to send me with your packet of the 21^th^ of last August) your Lordship's were inform'd were impracticable as being 400 miles from Albany, but I can assure your Lordships 'tis but 260 miles from Albany, and all the way a water carriage except 10 miles which they call the carrying place; and the Indians would have carried 10 or 12 barrels of powder for 'em, and much more had it been necessary, and an Officer with half a dousin soldiers had been sufficient to do the execution part, the Indians would have given 'em what guard they pleas'd. M^r^ Livingston and the rest of the Messengers went to the Onondages Castle in canoes, which place is within 60 miles of Cadaracque, and a river all the way. The three Messengers letter to me of the 3^d^ Instant is (mark'd C) their letter of the 11^th^ Instant (mark'd D) their Report to me on account of their Negotiation with the Indians is (mark'd E) by which Report your Lordships will see plainly that the French have given all this allarm to the Indians, and how faithless they have been in so doing, and how little reliance the King has reason to have on the stability and continuance of the present peace with France; I have mark'd those parts of their said Report with lines. The examination of Abraham and David Schuyler and of Robert Livingston jun^r^ is (mark'd F). These three men are newly come from Canada, and the Account they give of the French preparations there, is I conceive well worth your Lordships observation and your reflection too. That at the very time they are fortifying against us, and keeping up the same number of soldiers still which they did all the War; we on our parts let our wooden Forts fall to the ground, and reduce our pittance of soldiers, and neither mind paying nor recruiting them. Your Lordships indeavours (which are noble and would be extreamly usefull to England if comply'd with) would quickly set things on a true bottom; but if your Lordships meet with repulses in your measures I can hope for no fruit nor success from all my labour to serve the King, and this consideration troubles me as much as any, and I believe I shall quickly be tyr'd out. I beg leave to observe to your Lordships the very first Article in the forementioned examination, because I am therein nam'd; by the Governor of Canada's inquiry whether I was not gone to England, I should believe he did not like me for a Neighbour. That and some Intelligences I have had of late affords me some matter for reflection. The account of the expences of the three Messengers in their Journey to the Onondage's Castle is (mark'd G) and M^r^ Hanson's particular account

(which is compris'd in the foregoing account) is (mark'd H) both the said accounts amount to 170$^{£}$. 12^{s}. 0½^{D}, then I have appointed 25$^{£}$ apiece to the three Messengers, and 15£ to the Interpreter that went with them as rewards to them, which is 90$^{£}$. and being added to the forementioned summe, viz^{t} the Charges of their Journy, makes, in the whole 260$^{£}$: 12^{s}: ½^{D}. New Yorke mony, that this Message costs the King. I hope the service this message will do the King, will abundantly compensate the charge. But that the whole charge of keeping the Five Nations in friendship with us should lie upon the Province of New York, when 'tis plain that all the Plantations on this Continent are equally interested in the management of their Friendship, seems to me a hardship upon the Province, and I shall never be able to discharge the Debts, because of the constant growing charge those Indians are to us. Therefore if your Lordships please to admonish the respective Governments, to bear their proportion of the charge, it would be light and easy under such a contribution. I believe since my coming to the Government of New Yorke it has cost little less than 2000£, the presents to the Indians and the Messages to them, and to Canada on their behalf; and as the French apply themselves to court them from us, our caresses must increase, and bare complements will not do with them, they must be furnished with that which is substantial and costly. I send your Lordships an Extract of the Lieutenant Governour of New York's letter of the 25th of last March, which I conceive worth your perusall, 'tis (mark'd I) 'twill shew the miserable condition of our Forts, and what a Jest they are with the French. Some people are not without a jealousy that the Jesuit Brouyas and May^{r} De La Valliere that were sent to me last year on pretence of a complement by the Governour of Canada, were rather intended as spies to look into the condition of our Forts and Garrisons; and if so they could not avoid carrying their Governour a most ridiculous account of us. In short my Lords the Arguments about the Indians may be brought to this dilemma, if the King will not be at the charge of preserving the Indians, and defending the country, both the Indians and country must necessarily fall into the hands of the French very speedily: And then the King will loose the most valuable dominions that belong to the Crown. I wish with all my heart the King had consulted your Lordships before he order'd the reduction of the 400 men at New Yorke, and not hearkned to any private man's advice; I cannot thinke that man was faithfull to him, be he who he will.

M^{r} Partridge notwithstanding my admonitions to him not to suffer any ship timber to be cut, and carryed from Pescattaway till the King's pleasure were first known in that matter, has not only consented to a ship's loading ship timber and masts in that harbour, but is now actually loading a great ship of his own of about 350 ton with principall ship timber for Portugal. The noise too of the profitable voyage he formerly made thither with ship timber, has so incouraged others to do the like that I am newly informed of one Major Davison who is said to be loading a ship at Newberry in this Province with that sort of timber for Portugal. I believe your Lordships will not approve of this trade for many reasons, but 'tis very unlucky that I am so long without your orders therein. I doubt not to make it appear, that it is to the full as great prejudice to England to imbezle the Timber growing in New Hampshire, as it would be to imbezle that which grows in New Forest in England, which I shall have occasion in my next letter to prove.

If I were worthy to advise the King the forces in New Yorke should be immediately made up 800 men, to guard the Country, and worke at making Tar, they should also be regimented, and extraordinary care taken in the choice of good Officers, that is, men that have serv'd, and that are sober honest men and well affected to the King. The Lieutenant Colonel being a

discreet man would be fit to be made a Lieutenant Governour of New Hampshire with what Salary the King shall please. The Major to be Governour of Albany, where the people are strangely unruly and lawless, as I shall shew in the sequel of this letter. The Companys to be made Fiftys, the Captains to be well chosen, and to be of the King's Council both in New Yorke and New Hampshire to ballance those of the Council in both places that are of the Country. This can be no great addition of charge to the King because the Officers I suppose may be chose out of those that nour receive half pay in England. We shall stand in need of 650 men to make up the 800, which men may be transported in the King's ships that come to relieve the two that are here and at New Yorke. If those men be sent over there will be 400 beds wanted. 200 light guns for the Indians, little longer than carabins, a 100 barrels of powder with a suitable proportion of lead and shot and flints, a 1000 hand granados, some match. If the King approves of our making Tar, we shall need 1000 falling axes which I believe will cost about 14^{d} a piece, which in the whole is 58$^{£}$: 6^{s}: 8^{d} and will be the only charge of that matter. Then if the King intends we shall build Forts, there will be a necessity of 10 dozen of Spades, as many Shovels, a dozen of Iron Crows and a dozen of Iron Sledges, and of two Ton of good Iron to mend the tools. If the 800 men be allow'd and divided into 16 Companys as I have proposed, I should be glad if one of the Captains were a very good fireman and understood gunnery and shooting bombs; and that two of the Lieutenants were extraordinary Master Gunners, one for the Forts of New Yorke and the other for Albany.

I send your Lordships copies of all papers relating to the Pirates and their effects now sent by Rear Admiral Benbow, all which papers are bundled together and are Nine in number. The Governours who sent them had not taken their Examinations, but left that labour to me. The pirats are nine in number and Robert Bradenham that was Kidd's Surgeon is the obstinatest and most hard'ned of 'em all. Brown is married to Côll. Markham's Daughter, Côll Markham was Governour of Pennsylvania, in M^{r} Penn's absence. David Evans was formerly tryed at the old Bayly and acquitted as he pretends. Terlagh Sulivan 'tis said was forc'd on board a Pirate ship; M^{r} Penn and others from the Jerseys give him the character of an industrious man and very poor, he has a wife and three small children. I have been much solicited to let Brown, Evans and Sulivan have their liberty, but having no such Commission or discretion from the King, I would not presume to do such a thing. The original Examinations I have sent to my Lord Jersey, as I did the others by the Advice Frigat. I send the Lieutenant Governour of New York's Inventory of the goods and treasure and also an Inventory I had two Merchants in this Town to take, the said Lieutenant Governour having discharged himself on oath as appears by the minute of Council that's among other papers, there was no need of my exonerating my selfe on oath.

I send your Lordships copies of my letters to the Lords of the Treasury, Admiralty and Commissioners of the Customes.

Rear Admiral Benbow will give your Lordships an Account (if call'd on) what a vast prejudice the destruction of the woods in New Hampshire does the King and Kingdome, he saw a quantity of noble timber for ships brought to Pescattaway by M^{r} Partridge to be sent to Portugal in his great ship.

I am with respect
My Lords
Your Lordships most
humble & obedient serv^{t}
BELLOMONT

Boston the
25th May 1700

P. S. 30th May.

The Session of the General Assembly open'd yesterday; We have as yet made no further progress than that this Day the House of Representatives sent me a message desiring I would have the Castle Island survey'd in order to the building a New Fort there.

I send the discourse I made to the Assembly.

There is a bill brought before me and the Council to prevent and punish escapes of Pirates &c. out of Prison, pursuant to His Majesty's letter and order to me of the 10th of last November which your Lordships sent me.

The Lieutenant Governour and Council of New Yorke understanding that several French were come from Canada to Albany to sell French goods and carry away horses and mares, isu'd a Proclamation strictly forbidding the selling or suffering any horses and mares to be carried out of the Country, but in defiance of the said Proclamation, there were six of the best stone horses and fifty of the best mares in the whole Country sold to those French and suffer'd to be carried by them to Canada, it was about Christmas and they travelled over the Lake call'd Corlar's Lake on the ice. I can never bring the people of that Province to obey Laws, if the King will still grudge the allowing us an honest able Judge and Attorney General; This is but one of a thousand inconveniencys we suffer by the want of two such officers.

I send your Lordships the Minutes of Council of New Yorke for the Months of January, February and March last.

I finde no Inventory of what Pyrats goods and treasure were seized and sent by Côll. Blakiston and Côll. Quary, unless they be made up with the said Treasure, which I have neither seen nor handled.

Mr. Robert Livingston to the Earl of Bellomont.

[New-York Bundles, S. P. O. and L. M., L 24.]

Albany 3 May 1700.

May it please your Excellency.

I have been at the Onnondages Castle pursuant to your Excys Commands, and have had a view of those Countreys I so much heard talk of. I am now better able to judge of the way thither, wch was reckoned in Col. Fletcher's time impassable. The Indians I find much dejected and in a staggering condition, tho' they are so proud and will not own it, they are daily made so uneasy by the French that I despair of a good issue, if something be not speedily done to retrieve them. Presents will not do alone. I humbly conceive there must be something else done to ease their minds from that fear they have of the French else they will shortly make thin Castles, and increase Canada's Store, the consequence of which I dread to think of, if a breach should happen between the 2 Crowns.

I have put down all things that happened in our negotiation at large, which I fear will be somewhat tedious, but my homely stile will not admit of a shorter digression which account goes here inclosed.

I have made also remark by myselfe, which I have roughly transcribed, leaving a large margent for y^r Lord^p to correct and make it good English, if your Lord^p should think fit to send it home to the Ministers.

Your Lord^p will also receive the Accompt of the charge of this Expedition, which people here are of opinion will be paid by Boston Colony. I have been forced to advance and engage for all except the small accompt of M^r Hanse that went with us, so that I despair of holding out with provisions till your Lord^p comes. When I began to victual my credit was unstained, and now all the interest I could make at N York has only procured 6 Barrels porke, and how to hold out 2 months more till your Lord^ps arrival will be the question. I long more to see your Lord^p here again than I ever did for any thing, that matters may be settled both of private and publick concerne.

I hope your Lordship will be pleased to accept of your old Lodging.

I have received 100 barrels & locks of guns of Col. De Peyster, which I cause stocks to be made to, out of hand. There were some people went to Canada before we went to Onnondage and are not yet returned, what news they bring I will transmit to your Ex^cy viâ N Yorke. In the meantime I remain

May it please Your Ex^cy
Your Lordships
Most Humble and most
obedient servant
Rob^t Livingston

(Indorsed)
A true Copy
Bellomont

Mr. Robert Livingston's Report of his Journey to Onondaga.

[New-York Papers, L. M., L 25.]

Observations made by Robert Livingston Secretary for the Indian Affairs in his voyage to Onnondage in April 1700. humbly offered to his Ex^cy the Earl of Bellomont's consideration

The Macqua's Nation much lessened by many gone to Canada since the Peace two thirds; cloath'd there and secured in a Fort wth Priests to instruct them.

That the Maqua's nation are grown weak & much lessened by the late war, but more since the peace by the French daily drawing them from us to Canada so that near two thirds of s^d nation are now actually at Canada with their familyes, who are kindly received, being cloathed from head to foot, are secured in a Fort guarded with souldiers, & have Priests to instruct them.

The Causes of their desertion: fear of ye French while we do not protect them. And neglect of sending Ministers among them.

I do humbly conceive that two things are the principal cause of our Indian desertion.

1. Fear; Seeing the French so formidable as to destroy their cattle and we not able to protect them.

2. Our neglect of sending ministers among them to instruct them in the Christian Faith.

They should retire nearer to us, have a Castle or Fort stockadoes and a Minister to instruct them. The Provision for him.

To prevent which the Maquas are to retire to one tract of land which lies nearest us and not to live at 16 & 20 miles distance as they do, & plant there; which Castle or Fort ought to be stockadoed and a minister sent to instruct them, who may live very comfortably having 2 or 3 servants that may be souldiers, can keep his horse and cow, and be in 7 or 8 hours at Schanegtade either summer or winter by land or water.

The King to purchase land of the Owners & grant it to the Nation.

To be so near the praying Indians, that one Minister may serve both.

And in regard they are a proud people & not easily perswaded to leave their own land and plant upon otliers, it would not be amiss if the King purchased the land of the owners, & then granted it to the Nation in general, that so they might not be upbraided. And if those Maqua's that are already praying Indians be desirous to be alone, they may, but the others so near that one minister may teach both, if two ministers be too chargeable.

The Oneydes & Onondages to be perswaded to remove nearer to us out of the road of being attacked by the French.

The land thus purchased, I am humbly of opinion it would be no difficult matter in time to perswade the Oneydes & Onnondages to desert their habitations and remove nearer us, upon our river, some what above the Maquas, where there is a fertile soyle and out of the road to be attacked by the French with Canoes; they will then be strong and numerous and too hard a bit for the French to digest.

The Onondages in the mean time to be drawn to twelve miles nearer Oneyde on the same acct

In the mean time the Onnondages (who must leave their Castle speedily the firewood that was near being consumed) to be induced to come twelve miles neare Oneyde, where they have a better soyl, and are so much the nearer one another, and further out of the French's reach.

They inclinable to have a Minister. How he might be maintained.

That the Onnondages are generally very inclineable to have a minister who might live very well, as also at the Oneydes Cayouges & Sinnakes, having 2 or 3 servants to plant and hunt, they need not fear provisions which the Indians will give them gratis. Neverthless it will be convenient for them to have some toys to retaliate the same, tho' the Jesuits at Canada are so cunning to have their share of whatever an Indian hunts, which is brought and laid before the image of the Virgin Mary in the Church, and this being done they have not only remission of their sins, but her prayers to the bargain for good luck when they go out a hunting next time.

The authority of the Priests over their proselites

It's strange to think what authority these priests have over their Indian proselites; they carry a chain in their pocket & correct the Indians upon the cômission of any fault, w^{ch} they bear very patiently

Importance of Ministers setled among them to keep them firm, draw others from Canada & prevent the practice of poysoning by wch many of our friends have perish'd.

If ministers were once settled among them it would not only be a pious work in converting them to the Christian Faith, which hon^{r} would redound to his Maj^{ty} and the English nation in general, but would keep those whom we have, firm to us, draw the rest home that are gone to Canada and prevent *that diabolical practice which they have got of late in poysoning one another, by which means most of those that were true to the English interest are dispatched out of the way.*

Necessity of building Forts & securing ye Passes to their Castles

But not at Onnondage.

I do humbly offer that it is morally impossible to secure the 5 nations to the English interest any longer, without building Forts and securing the passes that lead to their Castles. But withal think it not proper to build a Fort at Onnondaga for these reasons.

Because of ye carriage of provisions by land.

1. Besides the difficulty of the two carrying places, you cannot come nearer than 16 miles to the Castle by water, except they go round by Kanienda, so that the carriage of provisions by land so far will be dangerous, difficult and chargeable.

And the other Nations will except the like.

2. A Fort at Onnondage can only secure that Castle and then the other Nations will expect the same.

And will have no retreat by Water.

3. Upon the approach of an enemy there is no retreat by water, but being pen'd up the French who generally come with 2000 men at least and bring bombs by water all the way to Keneenda which is within 8 miles of the Castle, must needs be a sacrifice to the enemy.

The place proposed for a Castle to secure the 5 nations to be on the Onnondaga River.

I do therefore with submission offer that if his Ma^ty^ be inclined to go to the charge of keeping a garrison to secure the 5 Nations (without which they are inevitably lost) it cannot be better situate than in the Onnondage River about 8 or 10 miles from the Oneyde Lake, at a point were the River that goes to Onnondage, Cayauge, & Sinnekes comes into y^e^ Onnondage River. This point being fortefied secures all the 5 Nations from the French at once, and Canoes can goe to the very fort walls without any carrying place, except the Little Carrying Place,[1] of 1800 paces, 100 miles from Albany, and the Great Carrying Place[2] 80 miles farther, reckoned 12 miles; which with some charge could be shortned to 4, there being a creek which leads to the Oneyde River, now full of wood, which may easily be cleared and a small dam made, which being let open will furnish water for Canoes or batoes in the dryest time of summer.

This River of Onnondage where the Fort is to be built comes from the Oneyde Lake and runs into Cadaracqui Lake, and hath plenty of salmon and all sorts of fish, and salt springs hard by for salt, a good and fertile soyle for raising corne, and the French cannot stir to go to the 5 Nations but must come up this river from Cadaracqui, and then the river of Onnondage below where this Fort is to be built is very rapid that all batoes and Canoes must be dragged up with great labour, besides a small carrying place of a mile in their way. This Post being secured will be the key of all our Indians, and they will resort thither for its defence by land & water.

Necessity of Bushlopers.

We shall never be able to rancounter the French except we have a nursery of Bushlopers as well as they; which I am humbly of opinion may be obtained thus:—

To be obtained by procuring a peace betwen the 5Nations & the Dowaganhaa &c Indians.

1 That all endeavours be used to obtain a peace between the 5 Nations and the Dowaganhaas, Twichtwicks, & other far Nations of Indians, whom the Governour of Canada stirs up to destroy them, not only the 5 nations have been mortall enemies to the French & true to the English, but because they hinder his trade with the said far Nations, trucking with them themselves and bringing the bevers hither.

And by building a Fort at Wawyachtenock

2. The best way to effect this is to build a Fort at Wawyachtenok cald by the French De Troett, the most pleasant and plentifull inland place in America by all relation, where there is arable land for thousands of people, the only place of bever hunting, for which our Indians have fought so long, and at last forc'd the natives to fly.

The conveniences of that place.

Here you have millions of Elks, Bears, Deer, Swans, Geese, and all sorts of fowl. The Fort to be between Sweege Lake[3] and Ottawawa Lake[4]; which place lyeth by computation South West from Albany 744 miles, viz^t^ From Albany to Terindaquat at the Lake of Cadaracqui 400 miles, from thence to Onyagara where the Great Fall is, 80 miles, from thence to the beginning of Swege Lake 40 miles and from the Sweege Lake to the place called Sweege being a creek which comes into Sweege Lake 64 miles, and from thence to Wawyachtonok 160 miles. In which Fort at least 60 men are to be kept.

Sixty men to be in garrison there.

Hither all the far Nations will come and trade, to wit, the Twichtwicks, Kichtages,[5]

[1] Little Falls; Herkimer County, N. Y.
[2] Rome; Oneida County, N. Y.
[3] Lake Erie. See *Mitchell's Map of North America.*
[4] Lake Huron.
[5] Illinois. — Ed.

Wawyachtenoke and Showonoes, and a multitude of other Nations, some whereof live behind Carolina, Roanoake, Caratuck &c. leaving the Ottowawes, Dionondadoes and those other Nations that live on the North side of the Ottowawa Lake to the French; which Lake by relation is 500 leagues in circumference. And if in the setling the limits and bounds of the governments, the line might run West from the Northermost part of this County of Albany, then I doubt not but all these Nations would fall to our share, and withal that all y^e^ nations that live on the Lakes and rivers that run by Quebeck the South side to belong to the English and the North side to the French, would put an end to the controversy at once, always including the 5 Nations intirely.

Proposal of setling ye limits of ye governmts

This would not only produce a vast trade, but raise a great many Bushlopers to be ready to serve the King on all occasions and in a short time defray the charge his Ma^ty^ would be at in setling it. It's true the French do trade and have small hutts & berks which they call Forts at some of those Indian habitations where they have priests, but how they came to be the proprietors of them no man can tell; and these Indians would rather trade with our people than the French if this way were once opened. Neither would it be necessary to settle farther up the country than Wawyachtenok for all the Indians would resort thither, where they can come in 10 days by land, if they might be safe, and then no great difficulty would appear in making a firme peace between them and the 5 Nations in spite of the French.

The Fort on Onondage River to be garrisoned with 100 Youths to be imployed in carrying provisions.

3 That the fort at the Onnondage River be garrisoned with 100 youths who daily being imployed with Canoes to carry provisions will at last be expert and very serviceable to y^e^ King and they be relieved by the garrison of York and Albany; by which means all our souldiers will be Bushlopers in time.

Our men to have passes to trade to the Eastward.

4. That our men have passes to go a hunting and trading towards Corlaers Lake and the eastward, as well as the French, who trade all the bever and peltry from our river Indians and decoy them to Canada, lying on every Creek upon the Lake with Brandy and other goods, by which means they spoyl us of all that trade. But it would not be advisable that they be permitted to go and trade with the Five Nations; there they lead a lazy life, and sell their goods dearer than the French do at Cadaracqui where the goods are better.

But not to trade with the 5 Nations

The King's armes to be put up on each Castle of ye 5 Nations.

And a Silver badge to be given the Sachims.

That his Ma^tys^ armes be sent to all the 5 Nations and put up on each Castle, and if your Lord^p^ thought fit, that some of their Chief Sachems had a badge or the King's armes cut in silver to hang about their necks upon solemn days, I presume it would be acceptable.

A Magazeen of birch Canoes, batoes &c and a small Fort to secure them.

That there be a Magazine of birch Canoes, batoes, cloathing, provisions & ammunition on all occasions and a small Fort at each carrying place, to secure the canoes and batoes in time of war.

The way from Albany to Cadaracqui easier than from Mont Royal thither.

The greatest oversight that ever could have been cómitted was the neglect of demolishing Cadaracqui, when the French deserted it in the late war, which could easily be done, for it's far more easie to go from Albany w^th^ Canoes to Cadaracqui, than to go from Mont Royal to Cadaracqui, where the French army have gone up so often, that river being one of the worst for falls, rapids, fords and shallow places, in the world. The fort of Cadaracqui is built where our Indians must pass when they come from hunting, there they are nab'd, the best they have must go, being inticed by strong drink & other necessaries they want.

The inconveniences of that Fort to our Indians returning from hunting.

What I now have humbly offered to your Lord^{p} is not only for the King's honour, the security of trade, advancement of his territories, but for the preservation of his Ma^{tys} plantacons of Virginia & Maryland, of so great concern to y^{e} Crown, which otherwise can easily be annoyed by the French and their Indians, if a war break out.

The charge will not be so great as that the French are at.

It may be objected this will be a charge to his Ma^{ty}; I answer not comparable to what charge the French are at, and yet they find a benefit by it, else they would not have robb'd our people for going to dive into that trade, before the war broke out. But of two evils the least is to be chose; something must be done to secure the 5 Nations who

The French by threatning, draw many away.

are in a staggering condition, being daily threatn'd to be attacked by the French, if they come not to Canada to make their peace; by which means those that are timorous drop off daily. Indeed, I must own this, that if it be thought fit to put this in execution, there must be greater care had to supply these Forts than there has been for the garrisons of Albany and Yorke these 3 years last past, else would be better never to attempt it.

The Indians take notice yt the French fortify so much better than we.

This is what remarks I have made during my short stay among the Indians at Onnondage, the center of the 5 Nations, who seem to be surprized that the French have fortified Mont Royal and Quebeck so well, since the peace, and that our fortifications are out of repair. I do find these Indians the same I always tooke them to be, a subtle, designing people, and that there is nothing has the ascendant over them but fear and interest. The French they fear, having felt the smart of their blows often. Us they love because of the good that daily receive frome us. They owne there is a God and as Devil. God is a good man they say, and lives above, Him they love because He never do's them any harm. The Devil they fear and are forc'd to bribe by offerings &^{c} that he do them no harme. I take it that they compare the French to y^{e} latter, and the English to the former.

Fear & Interest ascendants over them in relation to the French & us.

I have no more to add, but one word relating to our River Indians.

Proposal of a Fort and a minister at Skachkoke.

I am humbly of opinion it would conduce much to his Ma^{tys} service if there were a Fort at Skachkoke and a Minister seated there, which would be a means not only to settle those Indians, but draw many of the Eastern Indians to them, who are no friends to the English; by which means an eye may be had over them; and that some people be encouraged to go and plow their land, they allowing something for it. For these Indians,

Serviceable of ye Indians in ye late war.

how contemptible soever they seem to be, have done signal services for this governm^{t} in the late war; which makes me think the French, who are a vigilant subtle people, will push hard to gain them to their side.

All which is humbly submitted by

Your Lordships

Most faithfull & obedient Serv^{t}

A true Copy

(signed) Bellomont.

Rob^{t} Livingston, Secry for the Indian affairs.

Messrs. Schuyler, Livingston and Hansen to the Earl of Bellomont.

[New-York Papers. L. M., L 26.]

May it please your Excell^cy.

We arrived here last night from Onnondage, where we have, pursuant to your Lord^ps commands visited those Indians & understood by them that the French use all indirect meanes to vex and terrify them, to bring them over to their side and have been more active since the peace than ever; they strive to make the English odious to them and to seduce and intice them from their obedience to his Ma^ty and if it matters be suffer'd to goe on as they do, we shall lose them at last.

The onely way to secure them is what your Excell^cy proposes, the building of a Fort, and Ministers to instruct them; and if that be not put in execution it is in vain further to depend upon them. The French have a great faction among 'em, and those that are true to us are dispatched out of the way. We have by our going thither very much satisfyed the Indians and hope have got some that were Frenchifyed, to our side

We are confident they are wholly ignorant of any ill design the Eastern Indians have upon the English, since we have cause to beleive they have opened their hearts to us.

We returned the same way we went, by water, that we might be satisfyed how Canoes can go thither; the journey might have been done in shorter time, if we had gone by land, but the season would not admit it. We will not insist to mention any further what hapned in our voyage; referring your Lord^p to the inclosed account of our negotiation, exactly kept by M^r Livingston, Secretary for the Indian Affairs, with whome your Lordships instructions are lodged according to order. The account of the charge (as near as we can remember) is also inclosed for your Lordship's perusal, wherewith we conclude, and remain

May it please Your Excell^cy
Your Excell^cies most humble
and most obedient Serv^ts
Pe. Schuyler.
Rob^t Livingston
Hend: Hansen.

Albany 3 May 1700.

A true Copy
(signed) Bellomont.

Messrs. Schuyler, Livingston and Hansen to the Earl of Bellomont.

[New-York Papers, L. M., L 27.]

May it please your Excellency.

We have been daily in expectation of a sloop going from hence this week past but the weather hindering them to get a landing, are still detained, so that the letters would be at leat a fortnight if not 3 weeks before they reach your Lord^p have therefore though[t] fit to send an express by land with the inclosed Account of our negociation with the Indians, and M^r Livingston is so forward as to send his son, and the rather to give your Lord^p an account of

the affairs at Canada which our people has brought from thence lately, as by the inclosed examination appears.

It should seem that the French have no good design, but will again trouble the 5 Nations, not looking upon the peace concluded at home any waies to concern them. We hope they will be more wise; but it would be well to have a watchful eye over them.

They keep the 5 Nations in a continual fear that they know not how to behave themselves to be at quiet, the far Nations are destroying them on one hand, the French threatning them on the other, which makes their life very uncomfortable; but we hope your Lord^{ps} arrival will dissipate all these clouds, and make our horizon once more shine brightly. We do commend your Lord^{p} to the protection of the Almighty and remain

May it please your Excy.

Your Lord^{ps} most humble

& obedient Servants

PE. SCHUYLER

ROB^{t} LIVINGSTON

HEND: HANSON

Albany
11 May 1700

A true Copy
(signed) BELLOMONT.

Negotiation of the Commissioners sent by the Earl of Bellomont to Onondaga.

[New-York Papers, L. M., L 28.]

An accompt of the Negotiation of Col. Peter Schuyler and Robert Livingston Esq^{rs} of his Ma^{tys} hon^{ble} Council of New Yorke and Hend: Hanse Esq^{r} commissionate by his Excy. Richard Earl of Bellomont to visit the Maquas, Oneydes, and Onnondages Nations; who departed from Albany the 9th of April 1700 and returned the 2^{d} of May following:—

Having visited both the Maquas Castles & their villages we found none of their Sachems at home, except one who was of no great account among them, and understanding they were at their fishing places upon our river we proceeded, and on the 14th April found the 2 principal Sachems viz^{t} Onnucheranorum & Sinnonquirese above the Little carrying place about 10S. miles from Albany, where our river divides itself into two branches, and after we had some discourse with them by John Baptist the Interpreter to try to find out whether the French of Canada had not been endeavouring to intice and debauch them from us or any of the 5 Nations, they said they knew of nothing, neither had the French sent any messages to them. The[y] were desired to consider of it till to morrow, being late, and we would discourse further with them.

Two Sachems of the Maquas inform ye Comrs That ye French never impart their ill designs to ye Maquas but to the other 4 Nations.

The 15th of April the s^{d} two Sachems came to our tent early in the morning, and told us that when the French of Canada had any ill designe, they never used to acquaint them with it, but the other 4 Nations, viz^{t} the Oneydes, Onnondages, Cayouges & Sinnekes, for they look upon us Mohawks or Maqua's as inseparable from Corlaer, that is, the Earl of Bellomont, Gov^{r} of New Yorke &^{c} but what information we have from other hands we will now acquaint you.

About 5 days ago a Sinneke Indian Sachem came by our Castle and told us that a praying Sinneke Indian cal'd Tiorheensero[1] âls Squedese had been with a Company of Oneydes, Onnondages, Cayouges, and Sinnekes two months ago, that were hunting at a place called Tohonade 3 days journey from Cadaracqui, and told them.—Your four nations of Oneyde, Onnondage Cayouge and Sinnekes are ignorant of what designs are on foot between the Governour of Canada and Corlaer the Governour of N. Yorke. You think probably there is a firme peace made between the Governour of Canada and the 5 Nations, but you are mistaken, and therefore I am come as a friend to warn you not to go afar off a hunting; for tho' I am now an inhabitant of Canada, where I designe to live and dye in the Christian Religion; yet I have an inclination for the welfare of you four Nations; for I must tell you plainly the Governour of Canada has overcome and been too hard for the Earl of Bellomont Governour of N. Yorke in the business of the limits and bounds of the 2 governments aswell as he overpowred and subdued you with the sword; for your land belongs to the French and the Governour of Canada will speedily make 5 Forts, viz[t]

French insinuations to ye 4 Nations to draw them from us.

That the Govr of Canada will speedily make 5 Forts &c

One at Onyagare, that is, on the mouth of a great river w[ch] comes into Cadaracqui Lake on the South west end thereof.

The second at Jerondaquat, that is, on this side of Cadaracqui Lake where the path goes up to the Sinnekes Castles, about 30 miles from where the Sinnekes have now built their Castles.

The third at Kaneenda a fishing place of the Onnondages 8 miles from their Castle, their landing place when they come from hunting over Cadaracqui Lake.

The fourt Fort at Kahioghage a place where the Oneydes fish being upon a River that vents it selfe into the south side of Cadaracqui Lake about 12 miles from s[d] Lake, being a days journey & a halfe from Oneyde.

The fifth Fort at Ojeenrudde which lies upon a branch of our river, about 3 days journey from a village of the Maquas called Dekanoge.

These 5 Forts, said he, the Governour of Canada designs to garrison with souldiers, and besides all this he intends to put souldiers in all convenient places & passes between Canada and the s[d] Forts where he shall think fit, as a testimony that he is master of your land which he conquered by the sword.

Wee Sachems are of opinion, if the French offer to do these things and will not be diverted by fair means, that we shall be necessitated to rise up all hands and resist him with force; for certainly our Great King that lives over the Great Lake will never suffer us thus to be penn'd up round about on all sides.

The three Agents replied.

We met the Sinneke Sachem that told you this news; he had a piece off his nose, according to your description; he told us that they had an accompt in the Sinnekes country that 25. of their people were killed upon their hunting this winter, but not a word of this about the design of building forts by the French.

The Maquas Sachems said further.—

That the English were design'd to destroy ye 5 Nations by depriving them of powder &c—

We must also tell you that we have heard from Onnondage awhile ago and now lately also, that the French of Canada do say that the English were design'd to destroy us the 5 Nations, and the way they design'd to do it was to deprive us of powder, lead, guns, hatchets, and all instruments of war; and the French Gov[r] says further that Corlaer the

[1] Compare note in III., 453.—Ed.

Earl of Bellomont Governor of N. Yorke should say, if the 5 Nations had bows & arrows it was enough for them.

The 3 Agents told them.—

That the Earl of Bellomont was not a stranger to the false reports the French spread among 'em to delude & abuse them in order to make the English odious to them.

The Maquas Sachems said—

We believe none of the French lies and stories, and regard not the French flatteries nor braggs, tho' the French Governour upbraid us, saying; Why, if your Governr loved you so well as I do my Children the Indians, he would cloath you as I do.

That the English Govr does not cloath them.

The 3 Agents told them:—

That his Excellency the Earl of Bellomont Governr of N. Yorke &c had given a greater present to the 5 Nations when he saw them last at Albany, than ever any Govr of Canada had done in their days.

The Maqua's Sachems replied

We do owne it, for the Govérnr of Canada has but a handful of Indians and he can easily cloath them, but our Govr Corlaer has a great many and is liberal enough.

They said further.

Now Gentlemen, what we have told you is a certain truth, and if the Upper Nations should be shie to divulge it you may tell them plainly you have heard it from us, and that we have it from some of their own people, and therefore it would be ill done to deny it.

Whereupon Col. P. Schuyler, Robt Livingston & Hend. Hanse answered and said:—

The Comrs reply

We are sent by your great Brother Corlaer the Earl of Bellomont Governr of New Yorke, New England &c to see the Brethren, and cal'd at your Castles, but found none of your Sachems at home, and are glad we have found you here, and do thank you in the Earl of Bellomont's behalfe for your plainness & candid dealing in declaring what you have heard; and we do tell you that my Lord Bellomont is no stranger to the false reports the French spread abroad among you; nay, Corlaer is informed that the French Jesuits and other Missionaries have been so wicked as to invent among other false suggestions that our King has ordered you to be disarmed, but we do assure you from the Earl of Bellomont, called by you Corlaer, that this and all the other stories are so far from being true that my Lord Bellomont intends (God willing) to meet you and the Chief Sachems of all the 5 Nations at Albany on the 10th day of August that is in 118 days time, when my Lord Bellomont will not only make you a good present of such Cloaths and other things as you stand most in need of, but also of a good number of fuzels, and a proportionable quantity of powder and lead.

That ye Earl of Bellomt will meet ym at Albany 10th Augst

And we do assure you, as we shall do all the rest of the Nations where we go, of the Kings favour, and that you may rest satisfied of his Matys royal protection of you, which you will quickly find the good effects of, for Corlaer the Earl of Bellomont is in daily expectation of the Great King of Englands orders to build a Fort at the Onnondages Castle which shall defend that nation and the rest from the excursions and attacks of the French at Cadaracqui & elsewhere; and that his Lordp also expects orders to settle some Protestant Ministers among you to instruct you in the Christian religion. And therefore you are in the mean time to exhort your young Indians not to go to Canada to be instructed by the Jesuits (as you told us last night it was their daily practice, to your great grief) but send for them back.

Of orders expected from ye King abt a Fort & Ministers.

And as for the French designs of building the 5 forts, we do not believe it, neither will it be suffered, and when you come to Albany at the time appointed, my Lord Bellomont will satisfy

you in that particular. Now in token of our Great Kings friendship to the Five Nations and to you in particular, we do give you in Corlaers name, the Earl of Bellomont, this Belt of Wampum.

After the discourse was over the two Maquas Sachems Onnucheranorum & Sinnonquirese said, they would be glad to see some ministers come to instruct them; they would both turn Christian themselves & would give a large tract of land for a Ministers maintenance and do admire that the English cannot as well send a Minister to instruct them in the Christian Faith as the French do so many Jesuits among their Indians; by which they do not only gain the reputation of making their Indians, praying Indians, but keeps their Indians firm to them and draws ours from us.

At the Fishing place of Onnondage cal'd Kachnawaacharege the 25th of April 1700.

Meeting wth the Onnondage Sachems.

Col. P. Schuyler Mr Livingston & Mr Hanse arrived here the 23th Instant, and finding three Sachems of Onnondage who told us that Aqueendera the Chief Sachem was at his fishing place beyond the Oneyde Lake, but would be here tomorrow, we pitched our tent, and he not coming sent one of our birch Canoes and 4 men for him, who met him by the way. As soon as he arrived he bid us welcome, and said:—

Brethren.

They give acct of ye French contrivances to alienate the 5 Nations.

We are firmly link'd into the Covenant Chain that I think nothing ought to be conceal'd from one another. I am very glad to see you 3 gentlemen here since I can now impart to you what we have heard from the French of Canada, which Corlaer ought to be acquainted withal.

There is a Frenchman who was some time a prisoner in our Castle of Onnondage this last war, cal'd by us Diondori; he is the Governor of Canada's Interpreter and now an officer at Cadaracqui; who told one of our people called Tahayeeri some news, but charged him that he should tell Dekanissore and some of the Sachems of it, but by no means to me Aqueendera, fearing I would tell it to Corlaer the Govr of New Yorke. Neither did Dekanissore ever tell me of it, but went out a hunting; but before he went he told it to a friend of his cal'd Kenaachkoone, who told it me, Whereupon I forthwith communicated it to all the Sachems who condemned Dekanissores proceedings in this matter, since the English and we were one.

The sd Frenchman said:—

That the Governor of Canada charged the Five Nations not to hearken to Corlaer the Governour of N. Yorke for he would kill and destroy them; he would poison them, and so by little and little cause them to dwindle away to nothing; adding further it was certain the English were designed to make away with the 5 Nations, for their destruction was concluded on by the King of England, the certainty of which news they had from France, which they revealed to the Five Nations to be upon their guard, and one of the principal means which the Governor of N. York would take would be the prohibiting the sale af any powder to them.

There being a jealousie and a murmuring among the Indians what this news might be it was thought convenient to proclaim it in the Onnondage Castle and the sd Kenaachkoone cry'd it about.

This news (says the sd Aqueendera) I have reason to beleive that Dekanissore and Onnagogga give credit to.

The sd Sachem was told by the 3 Gentlemen to consider and call to mind what further news he had to tell, against the morning, and come with the other four Sachems and say what he had to say publickly.

Aqueendera, Speaker
Karachquae âls Kexeenda
Karentsondie.
Adiadoroonde.
Jughnaongoghte.
Teioceraga.

The Sachems of Onnondage gave the following information to Col. P. Schuyler, Rob[t] Livingston and Hend. Hanse, sent by his Excy the Earl of Bellomont concerning news from Canada, at their Fishing place 16 miles from the Castle the 26[th] day of April 1700.

Wt past between ye Sinneke Indns &c & ye Govr of Canada by means of Sinneke Sachems.

Last Sûmer we had an alarm from the Sinnekes that the Dowaganhaas were there with an army, upon which our young men went up for their assistance. Among whom was one Tohonsiowanne of our people, whom the Governour of Canada used to send as a Messenger to the 5 nations. This Tohonsiowanne the Sinneke Sachems thought fit to employ in a message to the Governour of Canada, to treat of peace, and accordingly gave him two belts of Wampum. The Sinneke Sachems that sent this message were Assichqua and *Awenano, and they pray'd the Messenger to make what haste he could, that they might once live quietly & enjoy the benefit of peace.

*This Sachem was pitched upon last year by the 5 Nations to go to Canada from Albany to bring away the 2 Indians that the Govr of Canada detained, but by good luck was stop'd; news coming in the mean time that they were free.

The s[d] messenger brought the s[d] two Belts to the Govern[r] in the behalfe of the Cayouges and Sinnekes (which we would have hindred if we had known it) the Governour of Canada received the Belts very kindly and was glad to see they sued to him for peace & returned two Belts of Wampum by the Messenger to the Sinnekes and Cayouges, telling them to send two Sachems of each nation to him to treat of peace, for he was satisfied with Onnondage and Oneyde they had been with him already. Now the Cayouges declare they know nothing of message, but depend wholy on Corlaer the Governour of N. Yorke and the Oneydes say the same. This news we sent to the Oneydes by one of our Sachems cal'd Aradgi, this winter, and the Oneydes were desired to send it forward to the Maquas and they to Albany, but it stop'd at Oneyde and was not sent forward, the snow being so deep.

The Belts sent by the Governour of Canada to the Sinnekes and Cayouges came to Onnondage and lay there a long while, at last were carried up by the s[d] Aradgi, but the Sinnekes would not own they had sent any Belts to the Governour of Canada, and after a strict inquiry it was found to be only the s[d] two Sachems that had done it, viz[t] Assichqua and Awenano, without the privity of the rest.

Further suggestions of ye French agst the English.

The Speaker Aqueendera in the presence of the other four Sachems repeated the same he told us yesterday *That the Governour of Canada's Interpreter told Tuhayeeri one of their people at Cadaracqui that the Governour of N. Yorke would call the 5 Nations to Albany and give them a present and in their drink poison them all, and would for ever hereafter deprive them of powder; for they see already they got but little bags of powder for a bever, and he would not only withhold powder from them, but guns, lead, hatchets and all instruments and âmunition of war, and what cloathing you get at Albany was rotten.*

The s[d] Interpreter said further, that the King of England had concluded to make an end of the 5 Nations and had given directions to Corlaer his Governour of New Yorke to fall upon them with an army this winter and hinder their getting any ammunition and *to poison* them; and therefore advised them to leave their Castles and come over to the other side of the Cadaracqui Lake and live there with their wives and Children and plant and hunt in safety; for their ruine was certainly concluded of by the King of England, for they had it from France, and therefore warned them as friends.

The Jesuits of Canada do likewise threaten hard to come and live in our Castles, in each Castle a Jesuit Father Millett at Oneyde, Father Bruyas that was with my Lord last sûmer at Onnondage, & others among the Cayouges and Sinnekes; which causes us continual disturbance.

When Father Bruyas was sent from Canada last summer, to Lord Bellomont, some of our people happened to be at Canada, to whom the s^{d} priest said, I am going to the Governour of N. Yorke, Corlaer, to see why he hinders us to come among the 5 Nations to instruct you in the Christian Faith, and if he hinders us we will fight him; for he is but a child in understanding and knows nothing; he is but lately come into the country, and I have been long among you.

The s^{d} Jesuit further said, I will discourse my Lord Bellomont why he always sends for you to speak with you at Albany, why the general place of treaty is not to be kept at Onnondage according to the ancient custom.

The said Sachems were told by Col. P. Schuyler Rob^{t} Livingston and M^{r} Hanse:—

The Comrs reply That the Earl of Bellomont Govern^{r} of N. Yorke, N. England &^{c} would rather lose his life than be the inventer of such falsehoods as the French have infused into you. It is a shame and scandal for such that pretend to be Christians and to be instructors of heathens, to give you so bad an example and to teach you such abominable practices of lying and deceit, which is from their father the Devil.

Now to shew you what ill men these Jesuits are this Father Bruyas never durst so much as mention any such thing to my Lord Bellomont as you speak of, but on the contrary when he returned to Albany spoke so much to my Lord Bellomont's praise & applauded him so much for his wisdom, prudence, ingenuity, generosity and kindness, that tongue could not sufficiently express it. But this is like them.

Now Brethren.

We need not tell you how just and constant this Governm^{t} has been to the 5 Nations and what benefits you have had from the English from time to time, and from the present Governour the Earl of Bellomont in particular; and you will hear when we come to your castle, whether we are now a going, what he has cômanded us to tell you, which will sufficiently convince you of his affection and inclination and also of our Great Kings favour, and that you may rest satisfied of his Ma^{tys} royal protection. We are grieved to hear that any of the 5 Nations and especially of the Sachems should hearken, believe or give credit to the French, to send any Belts to or receive any Belts from the Governour of Canada, you being the King of Englands subjects, especially now since there is a peace made between the 2 Kings, wherein you are included; But we will not insist, it growing late, and therefore expect you will go with us to your Castle, where you will hear what Corlaer hath directed us to speak.

The Comrs proceed to ye Onondage Castle. When we approached the Castle of Onnondage two Sachems came out and congratulated our safe arrival, that we had escaped the danger of the Lake and of the enemies the Dianondado's who often kill of their people near their Castles, conducted us to our lodgeing where the rest of the Sachems were met, who bid us welcome again with a present of some Wampum, and then, according to their custom, hung over a great kettle of hasty pudding made of parch'd Indian meal, and sent it us; we staid here this night and all

Saturday till they had sent for some of their Sachems that were out a fishing: in y^e^ mean time we examined Keenaachkoone as follows:—

Onnondage 27 April 1700, die Sât.

The former Acct of ye French suggestions confirmed.

Kenaachkoone one of the Sachems of Onnondage being examined by Col. P^r^ Schuyler, Rob^t^ Livingston & Hend: Hanse, in the presence of Aradgi about what he heard Dekanissore say concerning the discourse of the French Govern^rs^ Interpreter at Cadaracqui, who did own that Dekanissore had told him the matter so as he related it to Aqueendera, viz^t^ *That the Gov^r^ of New York would poison the* 5. *Nations in rum, & forbid the selling of them guns, powder, lead, & all sorts of ammunition, which the French knew very well for they had it from all hands and from Albany likewise; and therefore advised the* 5 *Nations as friends to desert their Castles and come and live on the other side of Cadaracqui Lake, else the* 5 *Nations would be all destroyed this winter by Corlaer who would come with an army and knock 'em all in the head.*

The s^d^ Kenaachkoone said further I must withal tell you that I do not believe these French stories.

The Sachems that were present.
Aradgi
Kayendagasos
Kanaachkoone
Anooware
Wadachninoortha
Karachque.
Orentsoondie
Tekiathasere.

Propositions made by Col. Peter Schuyler & Robert Livingston Esq^r^ of His Ma^tys^ Hon^ble^ Council of New Yorke, and Hend. Hanse Esq^r^ To the Sachems of Onnondage at their Castle which lyes Westward of Albany by water about 270 miles; this 27^th^ day of April 1700

The Comrs deliver their message from ye Earl of Bellomont abt his design of coming to meet them at Albany, &c

We are sent by his Exc^y^. the Earl of Bellomont your great Brother Corlaer to visit you, and to see whether the accompt his Lordship has of the French spreading false reports among you to delude & abuse you, be true, in order to make the English odious to you; and we do find that his Lord^p^ has a right information of that matter, for the Maquas, Oneydes, and your selves all agree that the French have endeavoured to debauch you and the rest of the 5 Nations from your obedience to his Ma^ty^ by suggesting to you that the King of England has concluded your destruction by poisoning and disarming you and bringing an army to kill you &^c^ and this is all insinuated to you by the French upon pretence of friendship; but we hope you are no strangers to the wicked principles & lying artifices of the French who are restless in their endeavours to seduce and withdraw you from your allegiance to his Ma^ty^ without regard to the late treaty of peace between the two Crowns.

We are therefore now sent by his Exc^y^ the Earl of Bellomont to assure you, 'tis so far from being true, that he intends (God willing) to meet the Chief Sachems of all the 5 Nations at Albany, on the 10^th^ of August, that is 104 days hence, at which time his Lord^p^ will not only make you a good present of such cloaths & other things as you stand most in need of, but also a good number of fuzils & a proportionable quantity of powder and lead.

We are also directed by the Earl of Bellomont to assure you of the Kings favour and that you may rest satisfied of his Ma^tys^ Royall protection of you, which you will quickly find the good effects of, for the Earl of Bellomont is in daily expectation of the Kings orders to build a Fort at this Castle, which shall defend this Nation and the rest from the excursion and attacks of the French at Cadaracqui and elsewhere, and that his Lord^p^ also expects orders to

settle some Protestant Ministers among you to instruct you in the Christian Religion. We do in the Earl of Bellomont's name, as a token of our King's friendship, give you this Belt of Wampum, and here are three Belts more, one for the Oneydes whose Sachems were not at home, whom we sent word to meet us here but are not yet come; and the other two Belts you are to send with some trusty Indians to the Cayouges and Sinnekes and acquaint them with this whole message, and that his Excy. will certainly meet all the Sachems of the 5 Nations at Albany in 4 moons and a halfe, to be reckoned from this day.

This is the message we are directed by the Earl of Bellomont to bring you, and have nothing to add but this, that your great Brother Corlaer will take it amiss that you have not acquainted him with all these stories you heard of the French, tho' you now see he is no stranger to the false reports the French spread among you.

Another thing we must remind you of, which his Excy. told you when he was at Albany, to be cautious of keeping correspondence with the French, which we understand is not observed by your people, by their going to trade at Cadaracqui. This is a great evil and the source of all your uneasiness.

The French tell you that the English will poison you, but we have great cause to suspect y^e^ French have a hand in seduceing you to poison one another; for we observe those Indians that have done signal services for your Nation against the French and are true to the English interest, their whole families are poisoned, and dwindle away to nothing. Let us not hear of such wickedness any more among you.

And lastly, we advise you to make your dwellings and habitatious compact together, that upon occasion they may be secured and not stragling to and again, as we see they are; which will be a means to preserve your name and keep you from any suddain assault or incursion of an enemy.

The Sachems replied by Aradgi their Speaker.—

We are thankful to Corlaer the Earl of Bellomont for the grateful message he hath sent us by you three Gentlemen, which hath eased our minds very much, and will come according to his cômands, but desire withal that when the 104 days are near expired the Interpreter may be sent to advertize us, that we come exactly according to the time mentioned by Corlaer.

Most of the Sachems of this Castle as well as of y^e^ Sinnekes are abroad, and as soon as they come home we will advise and consult about what hath been proposed.

ROB^t^ LIVINGSTON, Sêcry
for the Indian Affairs.

A true Copy

(signed) BELLOMONT.

Information of Messrs. Schuyler and Livingston, respecting Canada.

[New York Papers. Bundle, L. M., L. 29.]

Albany ss.

Examination of Abraham and David Schuyler and Robt Livingston Junr lately come from Canada; taken by Col. Pr Schuyler and Robt Livingston Esqrs of his Matys Honble Council of N. Yorke this 9th of May 1700.

When sd persons went to Canada were desired to get what information they could of affairs there and to give a particular Accot of it; which they give as follows:—

1. *That the Governour of Canada was very earnest to know if my Lord Bellomont was gone for England.*

2. That the souldiers were hard at work in getting the fortifications about Mont Royal finished, centries being put at the gates, and those open places where the stockados were not put up.

3. All the small Forts between Mont Royal and Quebeck, are repairing with speed.

4. No Christian or Indian suffered to go into any of their Forts.

5. Great preparations about their batoes, people being imployed to calk and pitch them, and are very diligent in repairing their birch canoes.

6. They expect the 5. Nations to come and make peace with them, else will fight them; this was confidently affirmed by Monsr Artell.

7. All the Bush lopers are sent for up from Ottowawa, some whereof went away last fall without leave; there is now about 400 Bush lopers expected home.

8. Great animosities between the Governour and people there.

9. The merchants designe to breake the Compy profering fifty thousand livres more than the Compa for the Customs, and petition their King for a free trade with this government.

10. There is a great Indian trade at Canada, many of the Pennikook Indians they see there, and on the Lake, going thither with their peltry.

11. The French of all sorts were very inquisitive about news of the limits and bounds of the governments since it is discoursed there that his Maty King William doth insist to have the south side of Mont Royal river.

12. They were very busy in getting large masts for their King; an English man is their Engineer who is allowed 200 pistoles pr annum.

Pe: Schuyler
Robt Livingston

A true Copy
(signed) Bellomont.

Lieutenant-Governor Nanfan to the Earl of Bellomont.

[New-York Papers, L. M., L 32.]

Extract. Coll. Schuyler to me of the 15th Instant from Albany says, all our Indians are well and out a hunting, two or three families of the Maquass excepted, who are, as he understands settled in Canada with their Indians. He sent me Govr Treat's letter of the 14th Febry with the information given to Governr Winthrop the 22th January, and he answered him that had there been any such design by our Indians he would have immediately acquainted your Lordp or my selfe therewith, and that he believed it was spread by some disaffected person or their own Indians. However this allarm had scar'd our Indians almost every where, for six weeks since, three with a small belt of Wampum from the high lands went to Albany to inquire after the news, but being told there was none but that all was well, two of them went out a hunting, and the other went home. I wish this noise may not give umbrage to our Indians, bnt I hope the Gentlemen your Lordp now writes to will so satisfie the Five Nations that we may be able to prevent the evill designes the French have in debauching them from us. We have it of all hands that the French are re-fortifying Montreal, and make their jest of our simple fortifications of Albany, and that your Lordp may see in what condition the garrison there is, I will transcribe out of Capt. Weems's letter to me of the 14th Inst what he says relating to that matter, vizt [The condition of this garrison and fortification which is all gone to ruin and decay, insomuch that the great guns is falling thro' the bastions and many of the stockadoes quite rotten and falling out of the ground in pieces that a man may pass in and out betwixt them.] He also makes miserable complaints of the bad condicons the poor souldiers are reduced to, being neer naked & bare of every thing wth out shirt, breches, shoe, or stocking. I hope in God by the next post your Lordp will have some news of mony for us and that your Lordp will not forget should you receive an order for the £2000 for to send it me (there is now I believe but very litle wanting to be recd of the whole) for I am in miserable want.

25th March 1700.

A true Copy

(signed) Bellomont.

Earl of Bellomont to the Commissioners of Customs.

[New-York Papers, L. M., L 45.]

Boston 28 May 1700.

Gentlemen

I have been of late very much troubled and interrupted by Mr Hungerford's and Mr Parmiter's criminating one another in their letters to me. They revile each other in scurrilous terms, and I doubt with too much truth, which makes me resolve to report the matter to you. Therefore I send you extracts of two letters from Hungerford and Parmyter, which contain in substance the abuses and reflections of many of their letters. There has been a tryall between Mr

Hungerford and Mr Lott, High Sheriff of King's County in the Province of New York about the preference to an informacôn against a parcell of unlawfull goods, a verdict was given the last Superiour Court at N. York in favour of Lott agt Hungerford; which Hungerford, in contempt thereof and of an order of the Court has refused to submit to. The state of the Case, as it was sent me from New York, I now inclose to you. In short Mr Hungerford's behaviour has been so very scandalous in the share he had in the Collectors Place with Coll: Cortland, that I have been forced to turn him out, thô my near relation, and the clamour was great at my keeping him in, that I am forced at last to yield to the importunity of my Lieut Govr and of Coll. Smith, Chief Justice of that Province and severll others. As for Parmiter, whom I made Naval Officer because I had no body else to put into that post, and because too that Mr Clement assured me he was a very honest religious man, I find he is a most corrupt ill man and was tryed for his life at Bristol, for a most notorious forgery a few years ago with one Lynch. Lynch was hanged, and Parmyter condemn'd to be hang'd, but afterwards with difficulty pardoned; wch you will find by the inclosed deposition of Capt. Fielding and Mr Pope. I would turn out Parmyter from the Navall Officer's place, but that I have no body to dispose of it to. I wish you would please to send over a discreet honest man to be Comptroller of the Customes at New York, and I would make him Navall Officer; which thing I formerly proposed to you.

Mr Eastwick the late Navall Officer of New Hampshire being dead, I have appointed Mr Robert Armstrong to succeed him, who is well recommended to me from England; the persons bound for him are substantiall merchants of this place, whose bond in a 1000£: I herewith send you.

I wish you would comand Mr Brenton and Mr Weaver, Collectors of this Province and New York, to their respective posts; their absence so long a time is insufferable. Mr Brenton was formerly absent three years together, as I am told, and this time almost two years. The trade here and at New York is carried on at a very loose rate, and therefore the Collectors ought not to stir from their duty.

I am, with much esteem
Gentlemen
Your most humble and
faithfull servant
(signed) BELLOMONT.

Earl of Bellomont to the Lords of the Admiralty.

[New-York Papers, L. M., L 43]

Boston 28 May 1700.

My Lords.

I lately informed your Lordps of Capt. Salmon Morris Commandr of the Newport frigat at New York, wherein I thought him faulty. I perceive his not bringing the pyrats and their effects from New York to this place proceeded more from the Lieut Governor's omission to give him written ordrs than from his own refusall. However it be, I find Capt. Morris's behaviour all the while he was at N. York was very sober and discreet, and I humbly desire Your Lops will continue him in your favour and good opinion.

If your Lop^{s} will please to appoint a fifth rate frigat for New York instead of a 6th rate, I humbly request that Cap^{t} Lechmere Comander of the Lynn may be sent to relieve Capt. Morris, when your Lord^{ps} ord^{r} another ship thither. Capt. Lechmere is my neighbour in Worcestershire, and acquaintance, and therefore will be much more gratefull to me than a stranger. He is now here with Rear Admirall Benbow, who gives him a good character.

The pyrate ship that robb'd near the Capes of Virginia lately, was gone before Capt. Crow with the Arundel could come up with her. Capt. Crow is not yet return'd from cruising.

I am with respect
My Lords
Your Lord^{ps} most humble
and obedient servant
(signed) BELLOMONT.

Earl of Bellomont to the Lords of the Treasury.

[New-York Papers, L. M., L 42.]

Boston the 31st May 1700.

My Lords.

According to your Lo^{ps} orders to me in your letter of the 7th of last Sept^{r} I send you all the papers and evidences that related to Capt. Kidds effects and the rest of the pyrats I sent with him in the Advice frigat.

I now send your Lo^{ps} the Inventories of all such treasure and effects as are come to my hands from the Governors of Maryland and Pensylvania, from Colonell Quary Judge of the Admiralty Court in Pensylvania, and from the Lieu^{t} Govern^{r} of New York. I have not thought it necessary to discharge myself upon oath of the s^{d} treasure and effects, because the Lieu^{t} Governor of N. York (from whom they are sent immediately and directly to me) has exonerated himself upon oath before the Council of N. York as appears by a minute of Council sent herewith; and the charges that have accrued here since the prisoners being brought, amount to no more than £12. 6^{s} this mony. The pyrats who are nine in number I have order'd to be delivered to Rear Admiral Benbow whom I have desir'd to deliver them to my Lord Jersey and the effects to M^{r} Secretary Vernon, to whom the former effects were consigned.

I am with respect
My Lords
Your Lo^{ps} most humble and
obedient Servant
(signed) BELLOMONT.

L^{ds} of the Treâry.

Lords of Trade to the Earl of Bellomont.

[New-York Entries, C. 241.]

To the Right Honb^le^ the Earle of Bellomont His Majesty's Captain General & Governour in Chief of His Majesty's Provinces of the Massachusets Bay, New Yorke & New Hampshire in America. And of the Territories thereupon depending &^c^. Or to the Commander in Cheif of His Majesty's Province of New York, for the time being.

My Lord,

Having acquainted your Lordship, by our letter of the 10^th^ of the last Month, with what we had proposed to His Majesty upon your letter of the 28^th^ of February last, relating to the Indians, And what His Majesty had thereupon directed; We are now to informe you, That all is done accordingly; viz^t^ Five hundred Pounds paid to M^r^ Champante, to be remitted you, towards the building of a Sod Fort in the Onondage Countrey; And subsistence money also paid him for the Soldiers from the 24^th^ of Aprill last 'till the 19^th^ of this month; And that he has likewise found means to provide clothing for them, and is taking care about shipping the same aboard His Majesty's ship the Advice, together with 400 light fuzils and a quantity of Lead and Powder, as also cloths and other necessaries (to the value of 800^l^ in all) For presents to the Five Nations of Indians; Of all which he will give your Lordship a more particular Account.

As for the distribution of the Presents amongst the Indians, we can only observe to your Lordship, that the reason of sending so large a proportion of Armes, was the better to remove the jealousy that has been raised amongst them of a designe to disarme them; And your Lordship will therefore take care to deliver them, more or less, at once or at several times, as you shall in your own prudence find most proper to effect that end, and settle them firm in their allegiance to His Majesty.

We acquainted your Lordship by our letter of the 11^th^ of April last, that an Act had been past here for the more effectual suppression of Piracy, which extends to all His Majesty's Plantations: We now add that in order to the Execution thereof, Commissions are passing, to be sent to all the Plantations accordingly.

His Majesty having been informed by the Consul at Algier, that the Dey of that Government had declared to him their resolution to direct Cruisers to require Admiralty Passes pursuant to the Treaty with them in 1682, from all the Shipp's of His Majesty's Subjects that they should meet with in and after the Month of September next, and it being apprehended that they may cruise in the way of our Plantation Trade, more than they have formerly done, so that all shipps, not to and from England thither, but also from one Plantation to another, will need to be provided therewith, Care has been taken here for preparing passes, and regulating the distribution thereof in the Plantation with all Possible diligence; In which as we have done our parts, We doubt not but you will accordingly receive both passes and rules relating thereunto, for the security of the Trade of His Majesty's Subjects in the Provinces under your Government, from the Lords of the Admiralty. And that your Lordship may be more fully informed of what the Algerines expect, we send you here inclosed the copies of the Dey of Algier's letter to His Majesty of the 14^th^ April 1699, and of the Consul's letter of the 13^th^ April 1700.

A petition having been presented to His Majesty, by Mr Crouch and other Merchants, setting forth that a shipp called the Mary, designed with Pipestaves and other Timber from New England to Portugal, had been stopt there by your Authority and not permitted to proceed on that voyage; And His Majesty having refer'd the same to our consideration, we send you here inclosed a copy of the said Petition together with a Copy of His Majesty's Order in Council of the 9th of May last, directing that she be permitted to proceed on that voyage, (in which a copy of our report is inserted) that you may be the more perfectly apprized of that matter.

His Majesty has been pleased to appoint Mr Atwood to be Chief Justice, and Mr Broughton to be Atturney General of New Yorke; And we are thereupon giving them all the assistance we can towards the Dispatch of what may the necessary for them.

The Acts of the General Assemblies of all the Provinces under your Governmt lye yet in the hands of Mr Sollicitor Genl but we are every day in expectation of those of New Yorke, and when we receive them shall use all the Dispatch we possibly can in our Report thereupon; And press for the rest out of his hands that we may dispatch them likewise.

We have found an Inconvenience from some of His Majesty's Plantations, in having private Acts fastned together under the same seal with those that are of a Publick nature, the one proving sometimes an obstruction to the dispatch of the other; And we therefore desire your Lordship (as we have done other Governours) to take care hereafter that all private Acts be sent each of them under a separate seal, and that the persons concerned in any such private Acts, do direct some of their friends here to solicit their Dispatch with the Atturney and Sollicitor General and instruct them, so that they may be able to give information in any doubts, or enquiries that may be made thereupon.

His Majesty having lately required us to lay before Him a state of what allowances have been heretofore made by the Provinces of the Massachusets Bay, New Yorke and New Hampshire for the maintenance of their respective Governours, and what may now be expected from them, in order to His Majesty's giving such directions thereupon as he shall judge fit for your Lordship's support in those Governments; We send your Lordship here inclosed a Copy of the Report that We have laid before His Majesty about that matter; But are not yet acquainted with the Resolution that has been taken upon it. We are

My Lord

Your Lordship's

most humble servts

STAMFORD
PH: MEADOWS
Wm BLATHWAYT
Jno LOCKE
ABR: HILL
GEO. STEPNEY

Whitehall
June the 21th 1700.

P. S.

June the 22th

Since the finishing of this letter we have received His Majesty's further commands to lay before Him, an Account of the Presents that have been made your Lordship, by the respective Provinces under your Government, And having thereupon prepared a Representation to be laid before His Majesty upon that subject, we send your Lordship a Copy of it also here inclosed.

Earl of Bellomont to the Lords of Trade.

[New-York Entries, C. 299—335.]

To the Right Hon^ble the Lords Commissioners for Trade and Plantations.

My Lords,

I hope in this letter to give an Account that will be as pleasing to your Lordships, as it will be serviceable to England. Thô I confess I write under all the disadvantage and discouragement imaginable, for to this hour I have no orders upon the several letters I writ about Naval Stores, about the ill posture of affairs in the Province of New Yorke, about the right of nomination of officers, a point I writ to your Lordships was contested by the Council of this Province; and lastly about the extravagant waste of the woods in New Hampshire and sending Ship timber thence to Portugall, which is one way to France.

I gave your Lordships to understand in three or four of my former letters, the prospect I had of furnishing England, and all the King's Dominions with Naval Stores of all kinds; except flax and hemp, which I formerly told your Lordships could not be so conveniently furnished from hence, as from Ireland; because of the dearness of labour here. 'Tis true I sent your Lordships my scheme by piece meal, being often interrupted in my thoughts of that matter, by other business, which was the true reason why you had not my scheme all at once.

In reading over my first letter on that subject which is that of the 17^th^ of April: 99, I meet with one mistake where I say that the women and children will be able to make Tar in the Province of New Yorke, for that 'tis but tapping the pitch pines and the liquor will run out in great quantity, but I misunderstood Monsieur Bernon, who has since explained to me, that he meant turpentine.

I have no reason hitherto to be out of conceit with the scheme I sent your Lordships, I have been very inquisitive of all people, that I heard had any insight in making Tar &c. and I find other people's notions agree with mine viz^t That the cheapest and surest way of making Tar will be with soldiers; That the pay or wages I propos'd for them viz^t 12^d per day will be a very reasonable reward, that sequestring 12^d per week to be improved for every soldier in Trade, and that to be laid out for the soldier's benefit, at seven years' end to build 'em houses and buy 'em necessary furniture and some few cattle to begin the world with, and stock the 40 acres of land I propos'd for each soldier.

Thus I have recapitulated the heads of the proposition, I made your Lordships in three or four several letters. I have further to acquaint you, that I am more confirmed than I was, of the certainty of making Tar to serve the King and all his Dominions; being assured by several hands, that 'tis a thing of great yield or produce, where there are a number of hands to assist one another. If M^r Bridger may be credited, who has made some Tar in New Hampshire, and sent it to England with the other specimens, a number of men will with ease make a barrel of Tar a day all the year round for each man's share, which is 37 ton and 6 barrels of tar, the yearly produce of each man's labour; at which rate 600 soldiers will make 22650 ton of tar in a year, which is so vast a quantity, that one would think it would more than suffice for all the King's Dominions yearly; yet the making pitch will cause a great diminution of the tar. There comes good store of tar and pitch hither from Carolina, as appears by the cockets produc'd by the Masters of Vessells, which I never fail to examine carefully, as well as into the prices of both. One Nicholas Meers Master of a Vessell brought

lately from South Carolina 70 barrells of tar and 26 of pitch, as part of his Cargo; finding him a sober understanding man, I discours'd him twice or thrice about tar and pitch, he told me that he had lived a good part of his time in Carolina, and understood how to make tar and pitch; that he had bought tar there this year for 5^{s} 6^{d} per barrel, but that when he came from thence, it was so much in demand, and several vessels from the neighbouring Plantations waiting to load with it, that it was risen to 7^{s} 3^{d} per barrell, and so much his 70 barrells cost him; and his 26 barrells of pitch cost him 17^{s} 6^{d} per barrell. I ask'd him the reason of the disproportion of the price of pitch to that of tar (because he had told me that a barrell of pitch was made out of a barrell and about $\frac{2}{3}$ parts of a barrell of tar) he said he could give no good reason for it; but that it was so he was certain, and that the people in Carolina were not fond of selling tar, but rather pitch, because they got most by it. I ask'd him the price of Cask there; he told me a single barrell of Oake cost 2^{s} 6^{d} but in buying a quantity they cost but 16^{s} per ton. And I find I can have Cask of pine here and at New Yorke (which will do full as well as those of oak) for 12^{s} per ton. I ask'd him about the value of money in Carolina, as a thing proper for me to know to make my computation more just; he told me there was much disorder in that, that the Dog Dollars, Rix Dollars, and the Seville, pillar and Mexico pieces of Eight have a currency there, but are not at a fix'd standard in value, they going with some people for more, with others for less. There are twenty Merchants in this town, that trade to Carolina, and not any two of 'em agree in their Accounts of the mony there; by that of M^{r} Meers, the mony there is about 16£ per Cent worse than 'tis here, and the mony here worse than sterling by 30£ per Cent. So that by that rule the mony in Carolina must be 46£ per cent worse than sterling, and consequently a barrel of tar costing 5^{s} 6^{d} in Carolina mony, (as I observ'd before from M^{r} Meers) is no more than about 3 shillings English, whence I infer that tar is a thing of great produce, otherwise it could not be offer'd so cheap as 5^{s} 6^{d} per barrel, where labour must be as dear as in the Province of New Yorke, Carolina being a later Plantation than New Yorke, besides too he told me the barrel was given in with the tar for the said 5^{s} 6^{d}.

In Whiston's Price Current the 15th of last January (which I have now before me) I find Stackholm tar sold at 11£ 10^{s} per last, and Stockholm pitch at 14£ now a last being a ton and a $\frac{1}{2}$ or 12 barrels, 'tis in the first place to be observ'd, there was but 50 shillings difference in the last between tar & pitch, which is far different from the disproportion that's between the prices of tar and pitch in Carolina. In the next place, I will reduce a last of the Stockholm tar to a ton, the better to make a parallel between the price of that and the price of Carolina tar. A ton then of Stockholm tar (at the rate of 11£ 10^{s} per last) is 7£ 13^{s} and a ton of Carolina tar (at 5^{s} 6^{d} per barrell) is 2£ 4^{s}, besides the great difference of the mony (as I have before observ'd) in Carolina and this place, and here, and in England; and besides the difference between the price of labour, that of Soldiers as I have propos'd at 12^{d} per day sterling, being almost $\frac{3}{4}$ parts cheaper than the common price of labour in the three Provinces of my Government, which is 3^{s} per day this mony. Upon the whole matter I cannot conceive the tar being manufactur'd by soldiers in the Province of New Yorke as I have propos'd can cost the King and his Dominions, above 4£ per ton or 6£ per last, the fraight thereof included in the said charge, whether to England or any other of the King's Dominions.

I do not trouble your Lordships with an Estimate of the price of Pitch to be made at New York, because I take it for granted your Lordships will agree with me, that it will be much the best way to manufacture the tar into pitch, after the tar is carried into England; because of the advantage af employing hands to worke in England rather than abroad.

There are other advantages that will accrue to England: I am told that at present all Naval Stores which we have from Sweden and Denmark, are paid for with ready mony, carried in specie from England, which some merchants here assure me is above a 100,000$^{\text{£}}$ per annum, whereas I would undertake to pay for all the Naval Stores from New Yorke and New Hampshire with the manufactures of England.

I have been very particular in the foregoing account, about making tar, because I would gladly explain every part of it to your Lordships; and I hope what I have now to writ, will satisfie you of it's being practicable beyond dispute or contradiction. I will now sum up the advantages which will accrue to England from this performance. (1$^{\text{st}}$) It will take off the charge of the forces, the King would otherwise be oblig'd to keep in his pay, to defend the Provinces of New York and New Hampshire, against the French and their Indians, which in time of war cannot be less than a 1000 men, to defend them as they ought to be defended: and let it be consider'd too, that the securing of them, is in a great measure securing all the Plantations on this Continent. (2$^{\text{ly}}$) It will save the King and his Dominions near half the mony that's laid out at present for tar, pitch, turpentine and rozen. (3$^{\text{ly}}$) If it be true that above a 100,000$^{\text{£}}$ in specie is exported every year out of England, by the Eastland Merchants, that sûme of mony which is a very great one, (and is entirely sunk and lost to the Nation by never returning) will not only by this design be kept within the nation for the time to come, but it will also be the undoubted means of a very considerable additional export and consumption of our English manufactures, so that the advantage will be double, by saving so great a sûme of mony which was carried out of the Nation before, and by turning that loss into profitt to England, in the increase of the Exports of our Manufactures as I just now said. (4$^{\text{thly}}$) There will in my opinion be double the number of ships imploy'd in carrying tar from New Yorke to England, that is at present imploy'd between England and the Northern Kingdomes in that trade, which must be reckon'd an advantage, when at the said time the commodity is cheaper to England, with which so many more ships are fraighted, The reason of this is plain, for two voyages from London to Stockholm will be much sooner perform'd, than one from London to New York, because of the great distance. (5$^{\text{thly}}$) But the greatest advantage of all is yet to come, which is, that the King and all his Dominions will be furnish'd with Naval stores from his own territory, by which means that most important trade (without which England could not subsist) will no longer be precarious.

The advantages that will redound to England by a right use of these Plantations, are infinite and inestimable, not only tar and pitch, turpentine, oyle of turpentine and rozen, will be furnished, but also the deal boards, masts, yards & bowsprits, and all the larger sorts of ship timber for the King and all his Dominions; and taking one thing with another, I can demonstrate that all these commodities I have now nam'd will be afforded cheaper to England, than they now are from forreign Countries. Deal Boards are what will turn to least account of any of the Commodities I have enumerated, yet a vessell wholly laden with them would make a saving voyage from these Plantations to England. The Deals brought from Norway are sold by tale, that is by the hundred, and the price is from 3$^{\text{£}}$ 10$^{\text{s}}$ to 5$^{\text{£}}$, the hundred their length from 10 to 12 foot, their breadth from 10 to 12 inches. In New Hampshire they sell their boards by the 1000 foot, 22 shillings per 1000 is the present price for such deale, the boards are rarely under 25 foot in length, and from 15 to 18 inches in breadth, and more free from knots than the Norway boards are, as they tell me here; when the deals are 2 inches thick they call 'em plank and their rule is, to double their price, as the thickness of the board

or plank doubles; for 2 inch deale they have £2. 4^s per 1000 foot, and for 3 inch deale £3. 6^s and the advantage to the merchant or fraghter will be chiefly in the 2 and 3 inch deal plank for the decks of ships, and such plank they saw in New Hampshire of 36 foot long and two foot broad, and upon occasion they can furnish plank that's longer and broader than even that A fly-boat or hag-boat of 500 ton will carry 270,000 foot of inch deale, and a good number of sparrs, and rafters for Oars, besides for breakage as they call it. It would not quit cost for small vessells to carry only deale boards, because of the charge of navigating them, which is much greater in proportion than the navigating great ships, as for example to a ship of 100 tons they require here 12 hands, and five such ships would require 60 men, whereas they will sail a ship of 500 ton with 25 hands, but this I find plainly that whether the ship be great or small, a mixt cargo of deale boards and ship timber, such as knees and standards, which are scarce and dear in England, will always make a profitable return to the fraighter.

I must not omit telling your Lordships, that our next neighbour Colony of Connecticut, make and export a pretty good quantity of tar and pitch every yeare, but 'tis dearer than in Carolina.

I discours'd over my scheme for making tar at New York with Colonel Hamilton Governour of the Jerseys, who was lately here and is an understanding man; he thought fit to refine on my project or plan, and two or three days after we had discours'd together, he brought me a scheme of his own writing a copy whereof I send your Lordships (marked A); I shall only remark two essential errors in the method he proposes for raising and maintaining a 1000 Soldiers to make Naval stores, and be a guard to the Frontiers, which being the foundation of his scheme, if that be defective, then of course the superstructure must be so too. First the I say 'tis utterly impracticable to prevail with these plantations, to raise the quotas of men and mony he proposes; and to instance in this Province, I would as soon undertake to reconcile 'em to the Masse, as to such a contribution, as he has set down in his paper for their proportion of the charge. Secondly admitting these Plantations could be reconcil'd to the charge of maintaining a 1000 men for the ends aforesaid, I think it would be most impolitick in the Crown to suffer these Plantations to provide and maintain their own guard; It would be to put an oppertunity in their hands of setting up for an Independance on the Crown, which 'tis much to be fear'd, all the Plantations on this whole Continent have too much a propensity to. Every body knows that common Soldiers always fight for those that pay 'em, without examining the justice of the quarrel. 'Tis with submission to your Lordships great wisdom, that I make these objections to Colonel Hamilton's paper.

I will next indeavour to inform your Lordships about masts and ship timber, wherein I have been very inquisitive, that I might be able to offer something to your Lordships on that head, that would be serviceable to the King and Kingdome. When I was at Piscattaway last summer, seeing a hagboat there of M^r Taylors of about 450 ton, loading masts for the King's ships, I was curious to know what number of Masts she could carry; I found every body at first upon the reserve, they all seeming to have an Interest in keeping that matter a secret; but by degrees I learnt enough to convince me, that the King may be much cheaper furnish'd than he is att present, with all his masts, yards and bowsprits, and with all the principal timber for building his ships of war, and in the sequel of this letter I hope to make it manifest to your Lordships, when you have perus'd the following Estimates. The secret lyes chiefly in this, that if the King will imploy 3 or 4 ships of his own, the greatest part of the charge will be sav'd. I have inquir'd of several persons about this matter, but M^r Bridger the Agent from the Navy Board (who is a ship builder by Trade) has given me the best satisfaction of any body. But that I

may proceed regularly I send your Lordships a Copy of Mr Taylor's Contract for Masts, Yards and Bowsprits of all sizes; the said contract is (mark'd B), if it be thought for the King's Interest to build hag boats of his own of 500 ton a piece, for carrying his Masts &c. (thò the readyest way will be to buy them ready made), then the paper (mark'd C) containing 6 quere's from me to Mr Bridger, will shew the charge of building a hag boat of 500 ton at Piscattaway, in his answer to my said quere's (mark'd D), Mr Bridger also deliver'd me a proposal sent by him to the Navy Board some time since, of prices for which he would undertake to furnish masts, yards and bowsprits, for the King's Navy from New Hampshire, which proposal I send (mark'd E), at the fort whereof he has set down the number of men, requisite to sail any ship from a 100 to 500 ton.

I desir'd Mr Bridger to give me the prices of the principall ship timber, (as sold in the King's Yard at Portsmouth, where he serv'd his time) which are contained in the paper (mark'd F), but he told me he had put very moderate prices on the several sorts. And for instance he told me he had known 5 shillings per foot paid for great standards for a first and second rate man of war, which would be £15 per load, yet he has set down but £7. 10s per load in his said paper, which is but half a crown a foot. At the end of his memorial (mark'd D) which answers my queres, he undertakes to save the King 2930£: 19s: in every ship load of masts, of what is paid to Mr Taylor, and a ship making two voyages in a year from Pescattaway to England, the King will gain 5861£: 18s. sterling, & two such ships of his own will gain him 11723£: 16s. every year if the Navy will require so many masts.

That the masts, yards and bowsprits for the King's ships will be best and cheapest carryed home in ships of the King's own, is very clear and manifest. And I believe I shall as easily make it appear, that the great and principal ship timber for building his ships of War, vizt beams, planks and compass timber, (taking one sort with another) will be sent home in the King's own ships, for very near half the prices those sorts of timber cost the King at this time in his yards. Mr Bridger has estimated the building a hagboat in his said memorial, (mark'd D) and therein in his answer to my second quere, at 5625£. New England mony, the said hagboat to be of 500 ton, which said sûme is over 4000 sterling, by Mr Bridger's computation 600£ New England mony (which is no more than 420£ sterling) will purchase a load of ship timber, that in the King's yards in England will be worth 2000 sterling. And by Mr Partridge's computation, the said cargo or load of ship timber will be worth 2500£ sterling in the King's yards. Mr Bridger ought to be the better builder, but Mr Partridge has had more experience in shipping, and selling that sort of timber, but taking it at either of their estimates, 'tis plain 'twill be worth while for the King to carry home his principal ship timber, from New Hampshire in ships of his own; and a ship will make two returns in a year, between Pescattaway and England. The paper (mark'd G) is an estimate by Capt. Belcher (an experienc'd man in those matters of this town) of the charge of wages, victualls, and wear and tear, of a ship of 500 Ton.

That which has induc'd me to set about these Estimates, is the desire I have of taking off from the King, the present charge of a 4th and 5th rate men of war for this Province and New Yorke, which piracy and unlawfull trade have made a necessary charge. I have learnt from Rear Admiral Benbow that 'tis a rule in the Navy, that 3£. 15s, per man per month pays all charges whatsoever, vizt Officers and Sailors wages, victualls, stores of war, and weare and teare; at which rate a 4th rate frigat (whose full complement is 235 men) stands the King in 11456£: 5s. per añn. And a 5th rate (whose full complement is 135 men) stands the King in

5606$^{£}$: 10^{s}: per añn, and both together in 17062$^{£}$: 15^{s}: reckoning 13 months to the year, which is the custome in the Navy. Three fly-boats or hag-boats of the King's own, and of 500 ton each, will by carrying home masts and ship timber save the King the above charge of the two Frigats. Or to give this another turn, I will suppose the King had two such ships of his own, and that both ships made two voyages with principall ship timber, and one voyage with masts, the two voyages with ship timber would defray the one with masts, so that the masts should cost the King nothing. This is so just a computation, (if the forementioned Estimates be true) that I dare vouch it for such.

I veryly believe all the Eastland Trade (except for flax and hemp) may be turn'd to these Plantations; and more than that, All the Masts and scarcer sorts of ship timber for the use of all England, and the rest of the Dominions of the Crown, will be furnish'd from these Plantations cheaper than they now sell in England, taking one with another. And with a good regulation here will be a lasting store of all those things to the end of the world. This Province and New York abound with excellent ship timber of all sorts, and so does Conecticut Colony, as well as New Hampshire.

And now my Lords I appeal to your Lordships whether the use and advantage I have propos'd by these Plantations to England, be not preferable to the selling almost all the lands in the Province of New York to Cóll. Fletcher, and all New Hampshire, and a great part of this Province to Côll. Allen. I call it selling the lands of New York to Fletcher, because that whoever contrived that clause in his Instructions, which gave him an unlimited power in the disposition of those lands, (and that directly contrary to precedent in other Governour's Instructions) may be truly said to sell those lands, and therein to betray the King and Kingdom in a very high degree. I also call it selling New Hampshire and a great part of this Province to Cóll Allen, for that Mason under whom Coll. Allen claims had no opinion of his own title, is very plain having offer'd to sell it for a 100$^{£}$, as Côll. Pinchon's Deposition does so far make out, as to satisfie any indifferent man of the truth of it; thò it would not be allow'd a direct proof in law, because the offer was not made by M^{r} Mason himself, but by a third hand, viz Doctor Owen a Presbiterian Minister. Then for Côll. Allen's title I send your Lordships Coll. Hutchinson's Deposition, tied up with Coll. Pinchon's, they are both members of His Majesty's Council of this Province, and both of good reputation and substance. I have not mark'd the said depositions, because the Clerk had beforehand mark'd other papers to follow in course after those I have already referr'd to, in this letter. I have reason above other men to believe Côll. Allen's title is insufficient & defective, having been much urg'd to be brib'd, to favour his claim and pretention. There was an offer made me of 10,000$^{£}$ in mony, and that Coll. Allen should divide the Province of New Hampshire with me; but I thanke God I had not the least tempting thought to accept of the offer, and I hope nothing in this World will ever be able to tempt me, to betray England in the least degree. This offer was made me three or four several times; and I am able to swear to time and place, and besides I have some letters from a certain man that mention enough of the matter to corroberate my own Testimony. I presume your Lordships will not have the better opinion of Coll. Allen's title, for the easy terms on which I might have come in for an equall share, or dividend with him, of that whole Country. I will make it appear that the lands and woods claim'd by Coll. Allen are much more valuable than ten of the biggest estates in England, and I will rate those ten estates at 300,000$^{£}$ apiece one with another which is 3 millions. By his own confession to me at Pescattaway last summer, he valu'd the Quit Rents of his lands (as he calls 'em) at 22 000$^{£}$ per

annum at 3^{d} per acre, or 6^{d} in the pound of all the improv'd Rents; then I leave your Lordships to judge what an immense estate the improv'd rents must be, which (if his title be allow'd) he has as good a right to, as to the forementiond Quit Rents. And all this besides the Woods, which I believe he might very well value at half the worth of the lands. There never was I believe since the world began so great a bargain as Allen has had of Mason, if it be allow'd to stand good, that all this vast estate I have been naming should be purchas'd for a poor 250$^{£}$, and that a desperate debt too, as Coll. Allen thought, as per Coll. Hutchinson's Deposition aforesaid appears. This I thought my duty to acquaint your Lordships of, that you may take such timely order therein, as to your Lordships wisdom shall seem proper. The consequence of Coll. Allen's claim, may prove highly prejudicial to England, he pretends to a great part of this Province; as far Westward as Cape St. Ann, which is said to take in 17 of the best towns in this Province next to Boston, the best improv'd land, and (I think Coll. Allen told me) 8 or 900,000 acres of their land. If Coll Allen shall at any time goe about to make a forcible Entry on these lands he pretends to, (for to be sure the people will never turn tenants to him willingly) the present occupants will resist him and any force he shall bring, and the Province will be put into a combustion, and what may be the consequence of it I dread to think. Besides that, I much fear in such a combustion all these Plantations would hold together, and take fire like a train from one end to t'other, I believe it would provoke the patientest of us all that after 50 or 60 years peaceable possession of an Estate in this Province, improv'd by our Fathers and our own industry, such a proprietor as Coll. Allen should drop out of the Clouds to oust us, as they Lawyers call it.

'Tis most amazing to me how dust has been thrown so many years together formerly in the eyes of the King and the Nation, that the value of these Plantations to England has not been seen into. I will make it appear undenyably, that by a right management of these Plantations England shall imploy a 1000 stout ships of burthen and 20,000 seamen more than she now imploys, and besides other advantages, these Plantations shall be for ever secur'd in a dependence on the Crown, but more of this in another letter which I will shortly trouble your Lordships with, and which shall impart some observations of mine, on the Trade of these Provinces under my Government.

A person of this town tells me he had advice from England that the Eastland Merchants began to be allarm'd at the talk that has been of late in London, of furnishing Naval Stores from these Plantations; and that it was believ'd they would oppose that design as much as in them lay. And also the specimens of tar and ship timber sent to England by M^{r} Bridger from New Hampshire were not without Enemies that decry'd & run them down; but your Lordships wisdome and integrity will easily stem all sinister defamations.

'Tis highly necessary and reasonable your Lordships should prevent the intended cozenage of the Crown, in the countenance given to Coll. Allen's claim. I think I have sufficiently demonstrated the value that the lands and woods would be to a private man, but he would be a bold man that would estimate the value they would be to the Crown, for I take them to be above value or inestimable. And in plain English 'tis abominable that the Crown should be defrauded of the lands, and woods in the Provinces of New York and New Hampshire; and an Act of Parliament ought to pass, for the vacating all extravagant of lands by Fletcher, in the Province of New York and of all other Governours, and to put all those lands under a good regulation; The same Act also should vacate Coll. Allen's pretended title, and vest all the lands in New Hampshire in the Crown, with a saving for all the inhabitants for their lands,

which they have improv'd, paying a reasonable yearly Quit Rent to the Crown. I believe there is not a man of 'em that has taken in and clear'd from the woods 500 acres of land. If I were worthy to advise the same Act under great penalties bar the inhabitants, from sending any ship timber or lumber, to any forreign country; and should oblige 'em to enter into bonds to four times the value of the cargo, to carry the timber to England, or elsewhere within the King's Dominions. A great many other regulations ought to be, which I submit to better judgments than my own; but one thing I must not omitt to recommend, and that is that a clause be inserted in the Act which shall oblige every body that cuts down a tree to plant 4 or 5 young trees in it's stead, which I have heard is the Custome in Norway, otherwise the woods in Norway which have been the Magazine for the greatest part of Europe, so many ages for masts of ships, deale boards and naval stores, must have been exhausted long ago.

The wast of the woods in New Hampshire has been, and still is so very great, that M^r^ Bridger assures me they are forc'd to go 20 miles up into the country to get a good mast for the use of the navy. I am told the inhabitants of New Hampshire, have taken in what tracts of land and woods they pleas'd, to which they have no better title than Coll. Allen has. I hope there will be a strickt inquisition into that; and that none of 'em shall be allowed any property in the woods, otherwise than as a common tenant right, viz^t^ fire-boot, hedge-boot, and house and plough-boot. For there must be in my opinion, such a course taken, as that all the King's subjects shall be allow'd to cut and carry away, such timber as they shall have occasion for, and that gratis, they to pay for the labour of cutting and carrying away only, but not for the timber, because that would discourage, and frustrate this good design, they should only pay for the planting 4 or 5 young trees in the room of that cut down. And there ought to be a restraint on all persons on pain of paying a good fine, not to cut any tree that is mark'd for the use of the Navy;—Several other Clauses will be necessary, as for example, no tree or trees to be cut, but when the sap is in the root, therefore the penning such an Act will require great care.

I write of these things with some reluctance, being wholly in the dark for want of a signification of your Lordships approbation or disapprobation upon the letters I writ a year agoe on the subject of naval stores, and disorderly circumstances of the Province of New York. Besides 'tis a great disadvantage to me that the people here should see that I am not supported from England in the conflict I had with them, this time twelmonth about the right of nomination of Officers; and about the bill your Lordships sent over with me, for suppressing piracy, which the Council refus'd to pass; and now at this time the General Assembly sitting, I must appear ridiculous in their thoughts, to be so long without the countenance of the Ministers; they must needs conclude that I contend for the prerogative, and have no thanks for my pains; and that they have been in the right, and I in the wrong.

Another trouble I have is to see that the French are undermining us, and getting away all our Indians, and I in no capacity of preventing their artifices, but to the contrary, things so manag'd, as if the game were playing into the French hands; the frontiers neglected, the soldiers reduc'd, and no care taken to pay 'em. When I consider of these things I cannot but laugh at myself, for continuing to trouble your Lordships with a scheme for making Naval stores, and making these plantations usefull to England, at a time when all the Plantations, are on a precipice of ruin. I am so far from being able to build Forts or repair 'em, that I am not able to live on the poor appointments of these Governments. I desire upon this occasion to trouble your Lordships with an Account I have had of the Governour of Canada's Salary

and Perquisites which I have received from Major De la Valliere, and a Gentleman in this town that has liv'd at Canada, they both agree he has 28000 livres a year duly paid from France by the King; then he has several perquisites, the chief wherof is the permits or licenses he grants to people to go a beaver hunting for so many months, and within such a quarter or canton of the country, which permits the French call Congés. These Congés are so valuable that they sell for more or less ready mony, according to the time granted for hunting, and the part of the country; insomuch as a person that obtains one of these congés goes to a Merchant at Quebec, and sells it for 200 pistolls, sometimes for more. The Governour is allow'd by the King to dispose of 30,000 livers in these congés, without account; wherein I suspect there's a secret service they are asham'd of; 50 crowns was the price of every scalp the French or their Indians carried to the Governour, whether they were English men's scalps, or those of our Indians, as I was told, and as I charg'd the Count de Frontenac in a letter I writ to him. I could never yet certainly know what his emoluments were reckon'd at; some have told me 10000 pistolls a year, some 8000, & others 6000. Monsieur de Champigny the Intendant of Canada has a Salary of 12000 livers paid in France also by that King, and his perquisites reckon'd at 6000 livers, which in the whole is about £1500 sterling a year. He is stil'd in his Commission Intendant General de la Justice, police et finance. I take occasion to tell your Lordships what allowance the Intendant of Canada, or to put it into English, the Judge of Canada has, that I might make two observations on it; first that he has a better time on't than the Governour of New England with his three Provinces, for I have not yet seen near £1500 sterling in one year. My next observation is that the French Colony of Canada, thô a paultry one in comparison of the three Provinces under my Government, is allow'd a Judge at a £1000 a year salary; and I can not prevail with all the interest I can possibly make, to be allow'd a Judge for New Yorke and New Hampshire; and without a good Judge and Attorney General 'tis utterly impossible for me, to bring New York and New Hampshire into good order.

I send your Lordships Coll. Romer's Memorial (mark'd H) which I have turn'd into English, wherein he gives so particular an Account of the principal Rivers, bays and places fit to be fortified, that there needs little to be said or remark'd by me. His memorial touching Castle Island in the Bay of Boston is (mark'd I). His considerations on the Icnografical draught (as he calls it) of Pemaquid and Pescattaway are (mark'd K).

The Charts or Maps of Castle Island in this Bay of Boston, of the great Island in Pescattaway River, of Saco River and Winter Harbour, of Casco Bay and Plymouth Fort, of Kenebeck River, of Pemaquid Bay River and Fort, and lastly of St. George's River and Bay, are tied up severally, and now sent to your Lordships by this convenience; all the seven setts being made up in a Box and directed to your Lordships. And with them are sent four other Charts or Maps, viz^{t} one of the town of Albany and two different draughts or designs of a New Fort to be built there. Then there is the plan of Schenectade, with the design of a New Fort to be built there also. And lastly the plan or map of Canestigogione. Coll. Romer's Memorial on the last mention'd Forts in the Province of New Yorke is (mark'd L). If the King will keep these Plantations from the French, I must take the liberty to say, he must necessarily be at the charge of building several Forts, both on the Frontier of New Yorke and to the Eastward of this Province. I hope the Assemblys of this Province, New York and New Hampshire, will contribute largely according to their ability, and I believe if the King did write to all the several Governments, to stir 'em up to a contribution for the building

such forts as are necessary, it would so operate with them, that mony would be rais'd that would defray a great part of the charge; for all their security from South Carolina to the Eastermost point of this Province, (which ought to be the River of St. Croix) is bound up in the preservation of the 5 Nations of Indians in Amity with us, and trying to rescue and retrieve the Eastern Indians from the French, which (could I call myself a free agent, to have some mony at command to dispose of at my own will and discretion) I believe I could yet accomplish, as late as it is, and notwithstanding the opportunities and advantages, we have given the French of gaining the Indians to the Eastward, by our want of care, and indeed of justice and kindness to them; which I will hereafter acquaint your Lordships of, when I come to write of the trade of these Provinces under my Government. If it be thought advisable for the King to write to the several Plantations to contribute to the charge of the Forts, I know His Majesty's letters will have the surer effect, if they be directed to the Governours and General Assembly's of all the Plantations. It will require according to Coll. Romer's and my calculation £29 000 sterling to fortifie the Frontiers of New York and this Province to the Eastward (not counting the Harbour of this town) and I am confident whent it comes to be consider'd by your Lordships, and the rest of the Ministers, our calculation will be thought reasonable, for the King shall not be cheated of a shilling; and I am in hopes half or more of that sûme will be raised by contribution of all the Plantations, if the King will please to send his circular letters to them; and the sooner the better. I shall by the next oppertunity send your Lordships the calculation we have made, the places where we conceive Forts are necessary, and what each Fort will cost. I have it now by me but it will require some reasoning to enforce the necessity of building these Forts speedily, and that would lengthen this letter, which I feare your Lordships will think is too long already.

I have been provok'd in my speech to the present Assembly, to reflect on the management of the late Reigns in parting with Canada and the Eastern Country and Fishery to the French, the worst of neighbours. King Charles the First gave 'em Canada, and King Charles the 2^{d} the Eastern Country, in exchange for half of the Island of St. Christophers, and I will take the freedom to say, that forty such Islands are not equivalent to the Eastern Country. Therefore when the King is mov'd to consent to the charge of fortifying the Frontiers, and that His Majesty regrets the charge, I could wish he were put in mind, that all this disturbance and the charge of fortifying proceeds from the most unaccountable conduct of his Predecessors in the throne and their fondness of the French Interest.

I send Capt. John Alden's Memorial about the Eastern bounds (mark'd M) he is an understanding man, master of a vessell, and has us'd a coasting trade to the Eastward near 40 years. I also send the Copy of Mons^{r} Denys's letter to the French King (mark'd N) which shews what use the French intend to make of the Eastern Country. But if we carry our bounds to the River of St. Croix, which of right we ought to do, they will be disappointed of their project of sending Masts, ship timber and tar and pitch to France, for the country to the Eastward of St. Croix, is said to be a barren sand for some miles into the Country, all along that coast. Capt. Southack Commander of this Province gally, commanded a private ship of War during the last war, and took Monsieur Denys prisoner, and with him seiz'd this letter.

The Government of Rhode Island continue their irregularities with more boldness than ever. I am wholly passive in concerning myself with them, but when People they oppress come with Petitions, I think I am bound to transmit their complaints to your Lordships. M^{r}

Pemberton's Address to me is (mark'd O). Capt Almy's Memorial is (mark'd P). Mr Hearn's Deposition (mark'd Q). The Copy of my Letter to the Governour and Company of Rhode Island is (mark'd R). Several other papers and petitions, have been deliver'd to me, by persons injur'd by that Government, which I do not think fit to trouble your Lordships with. If a speedy course be not taken to prevent it, there will be some lives lost in the quarrel between that Government and the people of the Naraganset Country.

Mr Bridger tells me he had strip'd about 8000 pitch pines to make tar of, and some malicious people have gone and set fire to the woods, where those trees stood, and have burn't 'em all down, his Memorial is (mark'd S). Having signified by letter to Mr Partridge, that I would not suffer him by any means to carry a ship load of ship timber to Portugall, and that I would send the King's ship to wait his loading his ship, who should have orders from me to seize & send her away when laden, to the King; he made a journy hither 'tother day, & I have accepted of his bond in £3000, that his ship shall saile directly to England, where she shall give your Lordships notice of her arrival, and the King the pre-emption of her load of ship timber at the market rates. This I thought absolutely the best way to secure the timber, since your Lordships have not sent me any orders upon my former letter on that subject, and about the wast committed in the woods of New Hampshire. The copy of Mr Partridge's bond is (mark'd T) The original bond I will send your Lordships by the frigat when she goes home, being unwilling to venture it by this ship. I am told there never was nobler ship timber seen, than this which Mr Partridge had provided for Portugall, and I hope your Lordships will take such a course as that the King may not miss of it.

Mr Partridge's folly in discovering what a proffitable voyage his ship formerly made to Lisbon, of which he crack'd to every body, (vizt) that for less than £300 this mony, he clear'd £1600 in the market he met with at Lisbon, for his ship timber) has set all the country agogg, so that some of the Merchants of Salem are now loading a ship with 12000 foot of the noblest ship timber that ever were seen in America. 6000 foot of 'em are 4 inch plank and 6000 3 inch, and 45 foot long, and scarce a knot in any of 'em, they were design'd also for Portugal, but I have taken such a course, as that the King shall have 'em of the Merchants carrying, or of my sending. I have spoke to one of the owners, and told him I would not suffer any ship timber to be carried to a foreign country; and that he and his partners must resolve either to send their ship and timber to England upon the same terms Mr Partridge has oblig'd himself to do, or sell the timber to me for the King at the price it stands them in, and the Merchant has promis'd it shall be so. He own'd to me it was the best plank that ever was seen in America and of such large dimensions that thô their ship be of 250 ton, she would not carry at most above 2000 foot more of such plank.

Your Lordships may see by this, what vigilance is necessary to a Governour of these Plantations, and what an eternal trouble I am at in contending for the interest of England, with the people in my three Governments. Perhaps I may hear hereafter that the 7 or 8 very worthy petitioners to your Lordships against me for male administration at New Yorke, may trouble your Lordships again upon the score of my stopping this ship timber, and call it an arbitrary way of proceeding; but if those petitioners knew what peace of conscience I have upon my whole conduct at New Yorke and here, and how much I despise them, they would not trouble your Lordships with any more of their clamours. I shall take another time to answer their unjust reproaches contained in their petition; when I have time to answer your Lordships letters of the 21th of last August. Another use I would make of these accounts of ship timber

is, that since 'tis so very profitable to Merchants to export ship timber from these plantations, why not to England for the use of the navy and of all England. And for a conclusion I humbly and earnestly recommend the vacating Coll. Allen's pretension to New Hampshire, and all other claim deriv'd from Mason, which with Coll. Fletcher's grants of the lands of New York, are an abomination and mistery of iniquity. Yet I would have the charity done Coll. Allen to reimburse him the £250 mortgage mony which Mason had of him. I am with great respect

My Lords

Your Lordships

Most humble & obedient servt

Boston
the 22th June 1700.

Bellomont

Plan of Colonel Hamilton for Maintaining Troops in the Colonies.

[New-York Papers, L. M., M 7.]

Colonel Hamilton's scheme for the Maintenance of Souldiers in His Matys Plantacôns on the Continent of America &c Delivered by the sd Coll. Hamilton to the Earle of Bellomont the 14th of Feb. 1699.

Quest: Since it appears absolutely necessary that a body of souldiers under proper officers be posted in the several frontiers to confirm our wavering Indians who by threats and aw are likely to be drawn over to the French: how are those men to be maintained without an expence to the Crown?

Ansr The method proposed by your Excêllcy of imploying them to purchase Navall stores for the King will no doubt before the expiracôn of their seven years service, defray the charge of their levy transportacôn and maintenance dureing that time and a great deal more, provided the land about the frontiers be furnished with materialls for tar, ship timber, and masts, and with ground fit for hemp.

The settling those men there after upon lots of land 40 or 50 acres each, will undoubtedly be an universall good by strengthening the frontiers. But the proposall for repaying theKing with Navall stores looking like too uncertain and remote a project;

Q. may not this charge be defrayed by the Kings subjects in North America without being grievous to them?

A: I humbly conceive it may for if there be a necessity of having a body of men constantly in the frontiers to confirm our staggering Indians or correct them if they should prove treacherous, it will be less grievous to the people to pay the souldiers than supply their places, which they must do if the King don't send over soldiers, or in probability loose our Indians. And therefore if upon your Excellencyes application his Maty shall be graciously pleased to send them over, the country here ought to be thankfull, and cheerfully provide for their support.

The fund proposed is by a yearly pole 15 shillings a head upon every freeman of 16 years of age and upwards whether married or unmarried. This I presume by a moderate calculacon may amount to £24000 a year thus accounted

	Men	£
N. Engl[d] Connecticut & Rhode Isl[d] may contain	16000	12000
New York	04000	03000
Jerseys	02000	01500
Pensilvania	02000	01500
Maryland	03000	02250
Virginia	05000	03750
	32000	24000

I cannot say I have rightly proportioned the men to each Colony, but I presume the number, and above, will be found in those Colonies taken together.

Allowing the Officers the usuall pay and every souldier 12[d] a day, the above sum will pay a 1000 souldiers with their Officers and the charge of collecting it.

This is less than a week's wages to a workeing hand to keep him in quiet all the year round, nor ought they to grudge the Kings having the benefit of the souldiers labour in acquiring naval stores, to reimburse the expence of levying transporting and giving them their first cloaths and arms.

This tax by pole must be laid on either by a generall Assembly composed of Representatives out of every Colony; and indeed it were well such a convention were held once in three years or oftener as occasion required, to concert what might be for the benefite of the whole.

Or it must be granted by Act of Assembly in each respective Colony; but because it will be difficult to prevail with some Assemblyes to consent to it, how necessary soever; may not letters be obtained from the King to the respective Governours acquainting them that as his Ma[ty] finds it necessary that there be a standing force to be distributed among the severall frontiers, so because of the infancy of these Colonies and thereby the fewness of people it would be of great prejudice to them to take of their labouring men to do the necessary duty in the frontiers His Ma[ty] has been graciously pleased to send over such a number of officers and souldiers as he judged expedient for that service, and did expect the inhabitants will take care of their support; that therefore they in his Ma[tys] name do recomend to their respective Assemblies to find out the means of supporting them, which his Ma[ty] thinks most reasonable [to] be by a pole, [on] such sort of people whose places the souldiers supply, since in want of them the frontiers must be defended by detachments of them in their turns.

Q.— Might it not be of use that some tracts of land were appropriated to the culture of vine yards, for in probability the inhabitants would copy after it, and might in time not only supply Engl[d] with wines but North America and the West Indies, who at present send vast sums of mony to the Portuguese Islands to purchase their wines, which would otherwise remain in the country or be remitted to England by way of returns.

Applying some of their grounds to this sort of husbandry and finding a vent for it, would take them off from spinning or weaving, which they are forced at present to do, hitherto

apylying themselves cheifly to the raising provisions, for which in time of peace there will be little vent, by the supplys the West Indies will have from Ireland and England.

A detachm^{t} of souldiers to join a body of our Indians might be of service in making discoveries behind Virginia Maryland &^{c} and might create a trade and alliance with those Indians.

Colonel Romer to the Earl of Bellomont.

[New-York Entries, C. 835.]

Coll. Romers Memorial to the Earle of Bellomont.

My Lord

In pursuance of your Excellency's Order dated the 28th of August last, I present to your Excellency three copys of the respective Draughts I have made of the Frontiers of New Yorke, Albany, Schanegtade and Kanestigiorma, as also the designs of the new Fortifications of every of the three, together with an Estimate what the same will cost, when they are managed by a faithfull and trusty hand, as also a list of the Cannon now in said places, whereby your Excellency may see the condition of the Ordnance there.

I also conceive it to be my duty, because I am going for England, to demonstrate to your Excellency, that if any Fortifications be made during my absence, the lime used on the Frontiers, That is to say burnt of stone about Albany, is not good to make sufficient worke, because it doth not well dissolve itself; Therefore (by Order from your Excellency) some regard must be had to find out a method for its dissolving. So that then a hole of 15 or 16 feet square, and 10 feet deep, must be made nigh the place where you are to make any Fortification, descending from a box made of Deale boards 12 feet long, 8 feet broad, and the breadth of a deale board high, with a channel or gutter in one corner of the said box, where a little sluce and a greater must be made (in the manner as you may see in the annexed draught) and as the lime is wholly slackt, then you open the sluce by A, and let it run into the square hole by B, And when the hole is near full, then you proceed further to another hole near the worke; so that you may have the lime neare the worke, round about where you may have occasion for it, and so the respective holes are to be covered with a matt of reeds or straw & 2 or 3 feet thick of sand, that the Frost may not endamage it; and when the lime has layn so a year, it will be as fat as butter, and one bushell be as good as three, What I have found at Albany and the proofe I have made thereof, will evince this to your Excellency, and after this way, good worke may be made. It is also to be understood, that the walls upon every four feet of the lime, and two feet in hight, must be bound with extraordinary stones over one another, so that the said stones must run over two third parts of the thickness of the wall, so that they come to pass one another in their binding, and every two feet in highth being so bound, must be cast over with lime, and sharp sand in a half barrell, and therein well stored about, that so all small holes may run full, Provided that the joynts may be so close, that no great holes be left. And this must be done, untill the wall is come to it's highth, which makes a good and eternal during

worke, and will in a few years grow very strong. This is called in Germany Cast worke, and in England, as I remember Potie worke, but if the worke be made with the lime usually at the Frontiers aforesaid, the walls must be as thick again and so consequently cost as much again, and then there is great hazard that they won't hold out, for not being bound it rots, Whereas the other worke according to my project, grows stronger and stronger. Now if it be not rightly ordered and afterwards not fall out well, the fault is not to be imputed to me, and accordingly I protest against it.

2 When the Arches under the Walls are to be made, it will be necessary to imploy persons more skilfull than those that made the House over the Gate of New York Fort, and because the same is made during my abode here, I do pretend to have no part or share in it, and to be free of all blame that may ensue; for some ill tongues, have in my presence declared, Why did the Coll. not order it otherwise 'tis his fault being Engineer. Against which I do solemnly protest.

Relating to the Arches that are to be made under the rampart, they must be worked from the spring till the 15th September and from time to time as soon as they are closed, cast over with sharp sand and mortar, in a tub well stor'd about, and afterwards with good thorow workt clay upon the inner walls highth, well stamped and then covered with course sand, and the wooden arches or models must stand under the vaults till the next spring; All the work being well covered against the frost with sand and shaveling boards. If it be otherwise done the fault cannot be mine, but if according to the Profile and the aforesaid directions, I do engage for it.

3 Your Excellency also commanded me to make a second design of the New Fort of Albany, which was to be much bigger, as it is N° 2 under the name herewith delivered, And because the same is drawn in a long square, some self-conceited persons may blame me, Why the same is not made in a regular square. I must answer, that the situation of the place for several reasons obliged me to it; as also because I could not go from the ground where the old fort is now standing; Thirdly if I should have done so, thè City of Albany would be more prejudiced than favoured by a Fort, whereas by this construction above a sixth part of the town is most covered. I also make a great front of Defence against the Enemy *dead* and *alive*, That is to say, that those who intend to attack me, and the *high hills* which lye North West from the Fort, must be removed in the holes thereabout as a skillfull Architect shall see meet.

4. Further, the Design of a New Fort traced upon the mapp of Schanegtade, must be regulated according to the Profiel of the Fort of Albany N° 1 & 2 except those redd pointed lines, which must have another Profiel that must be regulated another way according to it's situation, and as the ground is falling by the water side; by which advantage I must make a horizontal defence, for the better defending the River, because a horizontal defence is of more Execution, than the Defence from the Capital Fort, which stands high; and this will by an experienced Architect managed to the best advantage.

5 As for the Frontier of Kanestigiorma. I think that no great Fortification will be needfull to be made there, but very necessary to make a stone redoubt (as your Excellency will see upon the map traced) that may entertain or lodge forty men, as a good guard to defend and support the Inhabitants there, and to keep in time of war a good correspondence with Albany, Schanegtade, and half Moone &c.

6. Your Excellency will be pleased to looke upon the list hereto annexed, that in New Yorke are but about ten Iron Guns, and some brass ones to defend any Sea-Port; the rest are old,

honey comb'd and spoiled, and those that are good are chambered, or taper bored unfit by land and water. They were formerly as I am told rejected by the English Admiral, and they must be handled by persons that have a particular skill, else it may cost ignorant people their heads and arms, So that if a battery should be built under the Fort William Henry as also a blockhouse at Sandy point the same may in time be very necessary.

All which I submit to your
Excellency's wise judgment,

New Yorke
October 12th 1698.

WOLFGANG WILLm RÖMER

Chief Justice Atwood and Attorney-General Broughton to the Lords of Trade.

[New-York Entries, C. 246.]

To the Right Honble the Lords Commissioners of Trade.

William Atwood Esqr appointed by His Majesty to be Chief Justice of New Yorke and Sampson Shelton Broughton Esqr to be Attorney General, humbly represent, that tho' they conceive 'tis agreed by their Lordships that the Patents to be passed at New Yorke are to be as long as they behave themselves well, yet the precedents which they produce being only during pleasure, it may not be improper to observe the different grounds.

1. That they venture themselves and families at a much greater distance from their native country with greater hazards.

2. That if their Patents were only during pleasure, they would be determined with the Governour's Patent, those offices being within his patent, which they are not in Ireland.

3. That 'twill be impossible to serve His Majesty and the interest of England, if they are lyable to be recalled upon every information from the people of the place.

And the said William Atwood humbly represents in his own behalfe that since by the constitution of their Courts of Judicature, any Judge commissioned by the Governour with the assistance of Justices of the Peace may hold any one of the supream Courts, except at New Yorke; that after Provision for enjoying the place as amply as any person formerly enjoyed the same, there may be added (together with full power and authority to hold the supream Courts of Judicature at such places and times as the same may and ought to be held within the said Province.)

25 June, 1700.

Earl of Bellomont to the Lords of Trade.

[New-York Entries, C. 374.]

To the Right Hon^ble the Lords Commissioners for Trade and Plantations.

My Lords

The reason of my troubling your Lordships again so soon after my letter of the 22^th of last month, is to acquaint you of some things that have occur'd since then, which I think deserve being transmitted to your Lordships.

The Indians about the town of Woodstock and New Oxford (consisting of about 40 families) have lately deserted their houses and corn and are gone to live with the Penicook Indians, which has much allarm'd the English thereabout, and some of the English have forsaken their houses and farms and remov'd to towns for their better security. That the Jesuits have seduc'd those 40 families of Indians is plain, from several accounts I have received, and some whereof I now send (viz^t Mons^r Labourie's letter to me, which is a very plain Evidence of the French Jesuits debauching those Indians. Mons^r Labourie[1] is a French Minister plac'd at New Oxford by M^r Stoughton the Lieutenant Governour and myself at a yearly stipend of £30 out of the Corporation mony, there are 8 or 10 French families there that have farms, and he preaches to them, and at the same time instructed those Indians, having for that purpose learnt the Indian tongue to enable him to preach therein.

I also send some Memoranda deliver'd me by M^r Rawson[2] a Minister, who writ 'em down from M^r Sabin's mouth; M^r Sabin the person I formerly nam'd to your Lordships that gave me several advices concerning the Indians. M^r Sabin is so terrified at the Indians of Woodstock and New Oxford's quitting their houses and corn, that he has thought fit to forsake his dwelling and is gone to live in a town. All the thinking people here believe the Eastern Indians will breake out against the English in a little time.

Mons^r D'Iberville is lately come to New York from building Forts at Mechisipi in they bay of Mexico and manning them, I shall not animadvert on his coming to Yorke, but refer your Lordship's to the Lieutenant Governour of New York's letter to me, a copy whereof I now send your Lordships. Mons^r D'Iberville came in a 50 gun ship call'd La Renomée.

The Assembly is still sitting here, but will break up this week, and I must be gone to New York, to keep touch with the Five Nations of Indians, whom I have promis'd to meet at Albany the 10^th of next month, thò to little purpose I fear, for not having yet receiv'd orders from your Lordships or any of the Ministers about those Indians or any of the things I writ to you of, I am quite in the dark and know not which way to move. If I could have had orders this Spring, I would by this time have had a good Sod Fort at the Onondage's Castle which would have cover'd that and the rest of the five Nations from the French, and have incourag'd those

[1] Subsequently, Minister of the French Protestant Church in the city of New-York. *Documentary History of New-York*, III.

[2] Rev. Grindal Rawson, Pastor of Mendon, Mass., was the fifth son of Mr. Secretary Rawson, and graduated at Harvard College in 1678. He was well acquainted with the language of the New England Indians, in which he used to preach regularly to those tribes in his neighborhood. In 1698, he was appointed, with the Rev. Mr. Danforth, to visit the several plantations of Indians in the province of Massachusetts Bay, a report of which visit will be found in the *Collections of Massachusetts Historical Society*, X. He published, soon after, an Indian translation of the New England "Confession of Faith," under this Title: Wunnamdtamoe (Of Faith,) Sampoononk (a Confession) Wussampoowontamun (consented to) Nashpe (by) Moeuwehkomunganash (the Ecclesiastical persons) ut (in) New England. 16mo. Mushauwomuk, 1699. There are some sermons besides from his pen. He died on 6th February, 1756, aged 56 years. — Ed.

Nations above all the things that can be thought of and that for about £1200, but the summer is now almost gone, and I am in great fear our sloath, and neglect of those Indians all this time, will be the loss of them. I thank God I shall be no way accountable for the mismanagement that will probably loose us the Indians, and our Plantations on this whole Continent; having given frequent advices home of the condition of the Indians, and what I thought would secure their affection to us.

I have receiv'd no letter from your Lordships since that of the 21st of last August which is almost a year, except three or four lines which serv'd for a cover to the King's letter of the 10th of last November. They write me word from New York that a Pink has newly arriv'd there from London in eight weeks, who assures 'em that Jeffers to whom Mr Weaver deliver'd your Lordships Packet about the 15th of March was in the River of Thames on the 23d of Aprill. 'Tis wonderfull to me that Mr Weaver could find nobody to send the Packet with but Jeffers who had complain'd against me to your Lordships, as I have been inform'd, a cross ill condition'd fellow, and who hates me. I sent yesterday for Capt Robinson the Master of a ship belonging to this town, who arriv'd here from London the last week of May, he repeated to me what he had told me before, that a week before he sail'd he met Mr Weaver at the Sun Coffy-house behind the old Exchange, and seeing a packet with him, he desir'd he might have the bringing of it to me, Mr Weaver refus'd saying he was positively order'd to send it by Capt Jeffers to New York, and Capt Robinson saw Mr Weaver deliver the Packet to Jeffers, and Jeffers deliver it to the Master of the Coffy house to keep till he should call for it. And Capt Robinson sail'd out of the River the 21st of March.—Everybody believes Jeffers has played the rogue.

It was to be wish'd in such a conjuncture as this that your Lordships would write often. And that your Secretary would take care that all your Packets be deliver'd into honest hands, and receits taken for them. And I desire it may hereafter be observ'd that ships coming to Boston are accounted among the seafaring men to have the advantage of those bound to New York at least a third part of the way, thô in point of distance New York is but 100 leagues further from England than this place is.

I hope your Lordships will not suffer Mr Brenton and Mr Weaver to loyter any longer in England from their duty here. Their ramble is most unaccountable, and so far from being reasonable, that 'tis not honest; and they make very bold with the Ministers at home.

I had bespoke 400 Wheelbarrows and other tools to be provided for building a Fort for the Indians, but to my great amazement & discomfort, I am not directed in that or anything else.

I am sorry there was not a duplicate of your Lordships packet by Jeffers, sent by another ship. I am with respect

My Lords

Your Lordships most humble & obedient servant

Boston the 9th July 1700 BELLOMONT.

Lieutenant-Governor Nanfan to the Earl of Bellomont.

[New-York Papers, L. M., M. 80.]

Extract of a letter from the Lieu^{t} Govern^{r} of New York 24th June 1700. To the Earl of Bellomont.

On Monday last M^{r} Hungerford got out of the gaol nor has he been since heard of, tho' I have done my part in order to retrieve him.

On Wednesday evening last came up at once to the watering place a French man of war of 50 guns the Chevalliere d'Ibervile cômander (who with his second Cap^{t} were born at Canada.) She came from Messasipi and bound for France; their pretence is to wood and water, tho' I rather believe its to examine our channel and harbour, as I this minute heard, but I have no proof they have yet been sounding, tho' will take care strictly to enquire by keeping our barge out a cruising every night during their stay, and if I find they are, will positively forbid them. I am further told that the late King James had made an absolute gift of this Province to the French King, and that 'twas thought this ship had orders to touch in here, under the pretence aforesaid, to examine our channel and harbour, (for 'tis much out of his way home.) If this be truth 'twill be time to reinforce and refortifie, for the French are men of too great diligence to slip any advantagious opportunity.

A true Copy

(signed) BELLOMONT.

Earl of Bellomont to the Lords of Trade.

[New-York Entries, C. 434.]

To the Right Hon^{ble} the Lords Commissioners for Trade & Plantations.

My Lords

I imbark'd at Boston the 17th Instant, and arriv'd here the 24th where I had appointed a meeting of the General Assembly, to try how far they would enable me, to put the affairs of the Province into a good posture, and more especially, what relates to the preservation of the five Nations in their obedience to the King. I know not yet how far I may succeed in my design, for as yet five or six of the Representatives, are not come down the Hudson's River, and I do not suffer the Assembly to enter on business without 'em, lest it should be thought unfaire so to do.

I found here your Lordships letters of the 7th and 16th of last February, with the King's letter to myself of the 10th of that month and His Majesty's letters to the Governours of Connecticut and Rhode Island, which I have forwarded to them. I will take an exact care to obey the orders, sent me in your Lordships' letter of the said 16th February, about letters of Denization, a mistake I was led into by the example of Coll. Fletcher, and the advice of the Attorny General, who for certifying in two lines, the Person's being a Protestant and of good

manners, exacted 6^{lb} for his Fee, when I had but 12 shill: for mine, which is the Governours fee, every time the Seale of the Province is affixed. And if the party were poor I took no fee at all. I fear I have been abus'd into the granting three or four letters of Denization but your Lordships will heare no more of my transgressing in that nature. As to the Pyrats nam'd in your Lordships letter of the 16th Febr^{y}, I have issued a Proclamation for their apprehention, which I now send, (mark'd A.)

I have found at my coming hither a further ill account of the Five Nations of Indians sent by the Commissioners from Albany, to the Lieutenant Governour and Council here; the Commissioners letter to the Lieutenant Governour and Council is (mark'd B); The Memorial of Gronendyke and Provoost to the Commissioners for the Indian affairs at Albany, is (mark'd C); The propositions of the Canada Indians, are (mark'd D.) The Propositions of the Five Nations to the Commissioners at Albany, are (mark'd E.) and the propositions of some of the Five Nations, at their return from Canada, are (mark'd F)—These I take to be material papers, and will afford your Lordships some matter for reflection.

I am next week to go to Albany to meet the Indians, and try to encourage them, but I shall go with a heavy heart, being not empowered to gratifie 'em in the two points they above all others covet and insist on, viz^{t} the building them a Fort, and furnishing them with Ministers, to instruct 'em in Christianity.

Some of the Inhabitants of Albany who are now here, tell me the Soldiers there in Garrison, are in that shamefull and miserable condition for the want of cloaths that the like was never seen, in so much that those parts of 'em which modesty forbids me to name, are expos'd to view; the women forced to lay their hands on their eyes as often as they pass by 'em. This sad condition of the Soldiers, does us great hurt with the Indians, whose chiefest resort being to that town, & they being a very observing people, measure the greatness of our King, and the conduct of affairs, by the shamefull ill plight of the Soldiers. These persons assure me, that some of the old crafty Sachems of the Five Nations, have ask'd 'em, whether they thought 'em such fooles as to believe our King could protect 'em from the French, when he was not able to keep is Soldiers in a condition, as those in Canada are kept; who by the way I must acquaint your Lordships, are 1400 men, and duly paid every Saturday in the year.

The ship that brought your Lordships two letters, arriv'd here a week before my coming and brought the news of our being cut off 27 months pay and subsistence of the four companies, and of their being reduc'd to fifty men in a company. The victualers are like distracted men, & I find the officers and soldiers begin to be dissatisfied, and I doubt there are people here, that will rather nourish than indeavour to extinguish the flame. I am made to believe the soldiers will every man desert upon this unhappy news, and how far that may influence the Indians to revolt to the French all at once, I cannot say; but the Gentlemen of Albany that are here, are in great pain and apprehension it may have that ill effect. The King then will have an eternal obligation to that man, that advis'd the reduction of the four Companys, and that has compass'd their being so ill paid, for I strongly suspect both those arrows have come out of one and the same quiver. If I had the honour to be of the King's Privy Council, I would take the liberty to tell his Majesty, that his Council of Trade ought to be consulted in every step and measure, that's taken with relation to the management of these Plantations. And I have that great opinion of the prudence and abilities of the Secretaries of State, that neither of 'em would counter advise the King, against your Lordships advice.

When things are brought to Extremity, 'tis time to speak plain English. The Representations your Lordships made to His Majesty about these plantations (copys whereof you were pleased

to favour me with, along with your letter of the 21th of last August) are standing testimonys of your Lordships great Wisdom and Integrity; and I must take leave to think, he was a bold man that told the King, his Council of Trade were in the wrong in the advice they gave in those Representations.

I appeal to your Lordships whether I have not all along, ever since my being concern'd with this Government, acquainted you, that the neglect put upon the Five nations in the last Government had mightily alienated them from us, and had given the French Jesuits opportunity to supplant us in their affection; The truth is, they were hard at work to inveigle our Indians from us, while the Governour was exercising all his faculties in making a purse for himself, by all manner of means.

Your Lordships may depend I will use my utmost endeavours, to retrieve the Five Nations and do the King all the faithfull service I can with them, now at my going to Albany, notwithstanding the most discouraging circumstances I shall go thither in.

I believe Mr William Ashhurst too honest a gentleman and too much my friend to have design'd me a mischeif, which his quitting the Agency of these four companys, before another was appointed by me, has fallen out to do me. His letter to me declaring his resolution of quitting, was long coming to my hands. Then the person I had in my thoughts for Agent, I was not sure was living, or (if alive) would be willing to accept. In this perplexity I thought it better to send Sir John Stanley, a letter of Attorney with a blank in it, which I desired him to fill up with the name of some well qualified person for such a trust. Sr John it seems has made choice of Mr Champante for Agent, who is an ingenious honest gentleman; but I never knew it, nor that Mr Champante had received any of our subsistence, till I met with two letters from him now since my last coming hither from Boston. Some of the angry folkes in this town having receiv'd advice of Mr Champante's being Agent and receiving some weeks subsistence, and they receiving their letters a week before my coming hither and receiving mine, have with all their usual malice and impudence put a story about, (especially among the Officers and Soldiers) that I have all this while, by my Agent in England received the pay and subsistence, but have converted it to my own use, and car'd not what became of them, whether they starv'd or no.

I thought it necessary to trouble your Lordships with this Account, for my own justification from the false aspersions of these people, who perhaps may be idle enough to trouble your Lordships with this, as they have done with many other frivolous articles against me. I thank God I defye their malice to touch my reputation in the least degree; I shall be justifyed every way from this imputation they would fasten on me but especially by Sir William Ashhurst and Mr Champante, who can prove upon oath if it were necessary, my innocence. Sr William can prove I never drew on him for any of the mony he received by way of subsistence, but what was for the officers, or for their wives at their desire. Mr Champanté can prove I never drew bills on him at all, for (as I said before) I knew not he was agent for the Companys, till my coming hither from Boston; nor that there was any subsistence lately paid for these companys. I am now going to distribute that pittance there is, among the officers & victuallers.

I am with respect
My Lords
Your Lordships most humble
and obedient servant
BELLOMONT

New York
the 26th July 1700.

Aquendero the Chief Sachem of the Onondage Nation, who was Prolocutor for all the Five Nations at the Conference I had two years ago at Albany, has been forc'd to fly from thence, and come and live on Coll. Shuyler's Land near Albany; Aquendero's son is poyson'd and languishes, and there is a sore broke out on one of his sides, out of which there comes handfulls of hair, so that they reckon he has been bewitch'd, as well as poyson'd.

I meet with an old story from the Gentlemen of Albany, which I think worth the relating to your Lordships. Decannissore, one of the Sachems of the Onondages, married one of the praying Indians in Canada, (by praying Indians is meant such as are instructed by the Jesuits) this woman was taught to poison, as well as to pray. The Jesuits had furnish'd her with so subtill a poison, and taught her a leger de main in using it; so that whoever she had a mind to poison, she would drink to 'em a cup of water, and let drop the poison from under her nail (which are always very long, for the Indians never pare 'em) into the cup. This woman was so true a disciple to the Jesuits, that she has poison'd a multitude of our Five Nations that were best affected to us; She lately coming from Canada in company of some of our Indians, who went to visit their relations in that Country who have taken sides with the French, And their being among others a Protestant Mohack, (a proper goodly young man) him this woman poison'd so that he died two days journy short of Albany, and the Magistrates of that town sent for his body and gave it a Christian burial. The woman comes to Albany, where some of the Mohacks happening to be, and among 'em a young man nearly related to the man that had been poison'd, who espying the woman, cries out with great horror, that there was that beastly woman that had poison'd so many of their friends, and 'twas not fit she should live any longer in the world to do more mischief; and so made up to her, and with a clubb beat out her brains.

31. July 1700

Since I had (as I thought) finish'd my packet three men are this afternoon sent express to me by Coll. Schuyler from Albany, giving me to understand, that Mons^{r} de Maricourt, Father Brouyas the Jesuit, and 8 French men more, (whereof some are officers) arriv'd at the Onondage Castle the 24th Instant, some of the English faction or party among the Onondages dispatch'd away some Messengers to Albany with this news; Mons^{r} de Maricourt is one of the principall men of Canada, and brother in law to the Chevalier D'Iberville, he and the Jesuit speak the Indian tongue as well as they do French. The Gentlemen of Albany assure me the French have to the full as many friends among the Onondage Nation, as we have, which I am heartily sorry to hear, they being the most warlike of all the Nations, except the Mohacks, who are dwindl'd to nothing almost. I write your Lordship these accounts out of Duty, but I must own that I think it time and pains thrown away, for I much question whether it be in the art of man to retrieve the Five Nations. If your Lordships Memorials or Representations (copies whereof you were pleased to send me with your letter of the 21th of last August) had been comply'd with, I am confident I could have secur'd the friendship of those Nations, but for want of that complyance with your Lordships advice, and by the ill consequence of it, viz^{t} my being left destitute all manner of ways, of support; I cannot nor dare not undertake, to recover those Nations from the French. I have told your Lordships the substance of Coll. Schuyler's letter to me, the master of the Vessell that carrys this, will not allow me time to copie two letters which have been sent me on this occasion from Schenectade and Albany.

The want of two Ministers for the present has done us a vast deale of prejudice with the Indians. I can find none in this country that will go among 'em, and that are men tollerably well qualifyed for such a charge.

Commissioners for Indian Affairs to the Lieutenant-Governor and Council.

[New-York Papers, L. M., M 40.]

Albany 5 July 1700.

May itt please your Hono^{rs}

Upon y^{e} request of y^{e} Five Nations wee sent a messenger to Onnondage to hear what doing among them and also to perswade some of y^{e} far Nations to come hither, but wee have not been able to prevaile with them yett; alleadging y^{e} would be still soe green, that if they should [come] here some Indians, in their drinke might kill them, in revenge for their relations lost in y^{e} warr.

The Nations are full of faction, y^{e} French having got a great interest among them, insomuch that some are gone to Canada to treat with the Governour in spite of all y^{e} Sachims. The French are very subtile and vigilant and itt behoves us to be diligent also.

Some of their praying Indians have been here to trade, whome wee have treated civilly. It seems that they had killed one of our Skachkoke Indians a hunting, and their Sachims are come to condole his death and make satisfaction. Those wee have caressed and been very kinde to, insomuch that wee have, with great difficulty perswaded them to come and wait upon his Lordship and your Honours att New Yorke. We doubt not but you will be of our mind that wee have gain'd a great point; and if these two head Sachims and two Cap^{ts} can be prevailed with to come over to our side, all the Maquase praying Indians follow immediately, for they are y^{e} spring that move all y^{e} rest. M^{r} Livingston goes along with them, who will bring your Honours the propositions hapned here lately. Wee doubt not but your Honours will take that fitting care that the Indians may be plentifully entertained that they may see the difference between a fertile country and a poor rocky swampy Canada. Wee doubt not but this will be acceptable to his Lordship, to whome our humble service when he arrives. In the mean time we remaine

May itt please your Hon^{rs}

Your most humble Servants the

Cômissioners for y^{e} Indian Affairs

P. Schuyler

Pieter Van Brugh, May^{r}

A true Copy

(signed) Bellomont.

Messrs Groenendyke and Provoost to Commissioners for Indian Affairs.

[New-York Papers, L. M., M 41.]

Memoriall of what the Indians directed us to notifie to the Com^rs^ for the Indian Affaires, which we do by this writing.

That when the first Sinnekes were killed at Swege[1] this Spring, there was a Cayouge prisoner among the Dowaganhaes who said, It is not by our hatchet by which you are killed, but it is the French's which he gives us for that purpose.

Likewise when our Indians were a hunting this winter, some Sinnekes met with some Waganhaes of those Nations that are now in Onnondage, who would not receive the hatchet of the French, but warned the Sinnekes to be upon their guard, for the French had charged the Dowaganhaes to kill all the Indians in their hunting; therefore said the Waganhaes be warned and make a Fort and go all and lye in it, for what we tell you is firmly concluded on between the French and Waganhaes.[2]

When the whole assembly of Sachims were mett at Onnondage, they charged us to tell Corlaer that there were three Sinnekes Sachims who would go to Canada, to speak with the Governor, and that they did not know if the Cayouges went or not, but their opinion was they would not go, as they themselves did not go.

It is true we have been there, but it was for our prisoners which we did redeem there, which Corlaer promised to free by Johannes Schuyler, which he did not do: were therefore necessitate to go thither to gett them sett at liberty; but now we declare never to goe thither again to treat with them, since we have gott our prisoners home.

There are five Waganhaes come to Onnondage who are sent by three severall Nations, who are very strong and numerous, to make peace with the Five Nations and are minded to settle near the Sinnekes countrey upon Cadarachquis Lake, where some will come and settle speedily, and the rest in the fall.

They come to see how that our Indians trade with Corlaers people, and how much they get for a bever, that they may inform their people; they will leave Canada and come and trade with Corlaer, because goods are so dear at Canada.

They sayd in the said generall meeting that they had allways prayed Corlaer to sell goods cheap, which request they again repeat, that the Waganhaes may see that wee gett much for a bever, especially great baggs of powder; then the Waganhaes will love and esteem Corlaer; for if goods be dear, that will lessen their inclinations and probably alter their resolution.

The whole House said that they will send a post with four bevers to desire that goods might be cheap, because the Waganhaes were now among them to inquire about the price of goods.

We do likewise acquaint the Gentlemen that we found an English man in the furthest castle of the Sinnekes called Sjaunt, whose name is Charles Smith who was taken prisoner by them in Virginia five yeares ago, and desires earnestly that he may have his freedom.

This Memoriall was given me in Dutch by Johannes Groenendyk and Abraham Provoost, in Albany the 16^th^ of June 1700

A true Copy
(signed) Bellomont.

Rob^t^ Livingston Sêcry for the Indian Affairs.

[1] See Note 3, ante p. 650.

[2] Outawas. Compare *Charlevoix Hist. Nouv. France*, I., 43.

Propositions of Canada Praying Indians and the Answers thereunto.

[New-York Papers, L. M., M 42.]

Propositions made by the Sachims of the Canada praying Indians, belonging to their Castle called Cachanuage, to the Cômissioners for the Indian Affaires in Albany the eight and twentieth day of June 1700.

Sagronwadie Cheife Sachim, Speaker

Brethren

Wee are come here to trade with you as formerly, and therefore desire you to use us well, and receive us kindly being only come upon the score of trade; doe give 10 Bever skins.

Brethren

Wee desire you to be kind to us and not too dear with your goods, for I made up this Company and incouraged them to come hither; therefore be cheap. Doe give 10 Bever skins.

Brethren

I must again repeat and desire you to be kind to our people, and let them have such things as they have occasion for, reasonable; for wee see the loaves of bread are but small, and the Sachims of the Five Nations that are here tell us that if we goe lye in your houses you will not suffer us to carry any bevers from thence to other houses, but compell us to trade them at yo^{r} own prices. Doe give 9 Bever skins.

In all 29 Bevers w. £41 English

Answer to the Sachims of Cachneuage.

Brethren.

We have taken your proposition into consideration and do assure you of kind entertaintment, and you shall have the privilege to go into your friends houses where you please, and if you find you are not well used by them, you may remove to any other house, to your own content and satisfaction. They had some Wampum given them.

Propositions made by the Com^{rs} for manageing the Indian Affaires to the Sachims of the Canada Praying Indians, in Albany the third of July 1700.

Brethren.

We are glad to see you here and we doubt not but you have received full satisfaction and content in that matter you came for, and found goods cheap & reasonable; and although you have deserted your native country and gone over to strangers where every thing is much dearer then here, yet you see we make no difference, but treat you as kindly and friendly as our own people.

As you are sensible you have the same freedom of trade as our selves, so when ever you or any of your people design the like, you shall allwayes have the same protection; and since you alledge that [it] is your love to the Xtian religion, which makes you desert your native country, and run to Canada, to be instructed of the French priests, we hope in a short time to have Protestant Ministers to instruct your kindred and relations in the Xtian true religion, which togeather with your love for your country hope will prevaile upon you to come and live among your kindred, your fires burning still in your castles, the same houses you left being still ready to receive you, with all the stores of plenty to make you live for ever happy.

We do give you a fatt hog, some venison and a barrill of strong beer to be merry with your friends of the Five Nations that are here, and 21 pounds of powder and 14 barrs of lead, to hunt provision by the way.

The Canada Praying Indians repley; the said Sagronwadie their Sachim being Speaker.

Wee are now come to trade and not to speake of religion, only thus much I must say, all the while I was here before I went to Canada I never heard any thing talked of religion or the least mention made of converting us to the Xtian faith, and we shall be glad to hear if at last you are so piously inclined to take some pains to instruct your Indians in the Xtian Religion. I will not say but it may induce some to return to their native country.

I wish it had been begun sooner that you had had ministers to instruct your Indians in the Xtian faith; I doubt whether any of us ever had deserted our native country; but I must say I am solely beholden to the French of Canada for the light I have receđ. to know there was a Saviour born for mankind, and now we are taught God is every where, and we can be instructed at Canada, Dowaganhae or the utter most part of the earth as well as here.

ROBt LIVINGSTON Sêcry
for the Indian Affairs.

A true Copy
(signed) BELLOMONT.

Propositions of the Five Nations to the Commissioners of Indian Affairs.

[New-York Papers, L. M., M 43.]

Propositions made by ye Sachims of the Five Nations to ye Commissioners for the managing the Indian Affairs; in Albany ye 30th of June 1700.

PRESENT—P. Schuyler Esqr
P. Van Brugh Mayor
Jan Jansz Bleeker Recordr
Johannes Schuyler, David Schuyler, Johannes Rooseboom, Evert Wendell, Wessel Ten. Broek } Aldn
Tho: Williams Sheriffe

Dekanissore Speaker
Onado, another Onondager
Sedgehewanne a Cayouger
Suchquaniende, Scanagrechties } Sinnekes

These five are impowered by the Five Nations who spoke in ye presence of Aqueendero & Henry ye Maquase.

Brother Corlaer & quider

Wee are come here with a lamentable complaint that the Dowaganhaes or far Nations have now again kill'd many of our people att their hunting; all which is done by ye instigation of ye French as ye said far Indians themselves confess; nay some of ye said Nations have warned us to be upon our guard, for ye French charged them to doe itt.

The French themselves declare they will not take the hatchet out of ye Dowaganhaes hands till we come and submitt to the Governour of Canada, and make peace with him; which our great Brother Corlaer forbids us to doe.

This matter occasions a great distraction among us the Five Nations, for wee were told three years agoe there was a general peace and wee should live now in quiet, our hands were tyed up from warring; but wee have had little benefitt of itt hitherto. The French had as good be in open warr with us as to sett their Indians to warr upon us continually. Therefore we desire that Corlaer may take some course with the Governour of Canada to prevent this. else our people will att last be soe wearied out that they will be compell'd to comply with y^e^ Governour of Canadaes demands; nay y^e^ French have soe strong a faction in our Castles already that although you have shutt y^e^ path to Canada, yett two Sachims are gone thither with a Belt of Wampum, contrary to y^e^ consent of the Five Nations, to see what y^e^ reason is why y^e^ French stirr up their Indians to kill our people who are the King of England's subjects. Wee doe therefore desire that Corlaer may prevaile with y^e^ Governour of Canada may putt a stop to his Indians doing us such mischiefe.

Wee Sinnekes have lost fourty of our people this spring; and one of our Sachims called Awanano, who had his whole family kill'd last summer hard by y^e^ Sinnekes Castles, is gone now to Canada, with Aradgi of Onnondage, a great favourite of y^e^ French and some few with them, & although all means were used (as Lawrence your messenger see) to stop them, by Belts of Wampum, itt was in vain. The Belt they carry is not out of the publick treasury, but their own.

Wee five Nations are now come to bring Corlaer this Belt of Wampum praying him to take such course with y^e^ French that those Indians whome they call their children, and whome they support, assist and stirr up to kill our people may be stopt from committing any more acts of hostility upon us; which wee think is a breach of y^e^ Articles of Peace.

Wee must now give you an account of what the five Dowaganhaes have said att Onnondage.

Some of the Dowaganhaes having had a conference with our Indians att their hunting this last winter, concluded to desert their habitations and to come and live and settle upon y^e^ Lake of Cadarachqui, near the Sinnekes country att a place called Kanatiochtiage and accordingly they are come and settled there & have sent five of their people to Onnondage to treat, being sent from three Nations who are very strong, having sixteen castles.

They say

Wee are come to acquaint you that wee are settled on y^e^ North side of Cadarachqui Lake near Tchojachiage where wee plant a tree of peace and open a path for all people, quite to Corlaer's house, where wee desire to have free liberty of trade; wee make a firme league with y^e^ Five Nations and Corlaer and desire to be united in y^e^ Covenant Chain, our hunting places to be one, and to boile in one kettle, eat out of one dish, & with one spoon, and so be one; and because the path to Corlaers house may be open & clear, doe give a drest elke skin to cover y^e^ path to walke upon.

The Five Nations answered them thus:—

Wee are glad to see you in our country and doe accept of you to be our friends and allies and doe give you a Belt of Wampum as a token thereof that there may be a perpetual peace and friendship between us and our young Indians to hunt together in all love and amity.

Lett this peace be firm and lasting, then shall wee grow old and grey headed together; else y^e^ warr will devour us both.

Brethren

Wee open a path for you to goe quite to Corlaer's house where you shall have equal liberty of egresse and regress to trade and merchandize as wee our selves.

Wee doe again invite you to trade in our brother Corlaer's house where you will be civilly treated, and in your passage thither you shall be well received and treated by us in our Castles.

Wee throw away y^e^ hatchet of warr and bury itt in y^e^ ground and doe make a perpetuall peace & lett those dye that first break itt.

By the Belt of Wampum which you sent by Lawrence your messenger, wee draw y^e^ said Dowaganhaes to come hither to Corlaer's house and trade, and fasten them in y^e^ Covenant Chain; but now the Dowaganhae messengers could not be perswaded to come hither according to your desire, because they were afraid of evil minded Indians who in their drink might kill them.

A true Copy — Rob^t^ Livingston Sêcry
(signed) Bellomont. — for y^e^ Indian Affairs.

Propositions of the Governor of Canada to some of the Five Nations.

[New-York Papers, L. M., M. 44.]

Propositions made by some of the Five Nations (now come from Canada) to the Commissioners for the Indian Affairs; in Albany the third of July 1700.

Present—Peter Schuyler Esq^r^
Peter Van Brugh Mayor
Jan Janse Bleeker
Johannes Schuyler
David Schuyler
Evert Wendell
Johannes Roseboom
Wessel Ten Broek
} Aldermen

Names of the Indians the Governor of Canada made the Propositions to:—

Takosondaghque
Sagossenduchqua
Anistarinquist
} of Onnondage
Tarojaketho. of Oneyde

The Speaker was Aqueendero.

Wee are come to acquaint you according to our duty what the Canada Indians of Kachanuge have told when we were there lately, (viz^t^)—

That we are not to take notice of any stories or false reports that any evill inclined persons may talk at the hunting place or elsewhere but cleave fast to the articles of peace made and concluded between the two great Kings in Europe, and doe give a Belt as a token hereof to be

kept at Onnondage, which they show, and this Belt is not only given by the Praying Indians of Kachnuage but by the Rondax Indians, natives of Canada, who hold firm to the generall treaty of peace.

The Governour of Canada being at Mont Reall sent for us and told us:—

Children

I will speak no more to you by Belts; I have only this to say; you complain that the Dowaganhaes or far Nations of Indians kill and destroy your people; you are the cause of your own destruction your selves, if you will but send one Indian from each Castle (neither will I tye you to send a Sachim, but a private Indian from each nation) to treat with me and make peace, I will take the hatchet out of the hands of my Indians and Children the Dowaganhaes and those other far Indians, and cause you to hunt secure without any trouble or fear, every creek and fall of water shall florish with peace and tranquillity; but if you will not come and treat with me, you must expect no peace but a continuall warr with the Dowaganhaes.

I know the Governour of New York the Earle of Bellomont threatens you hard and looks terribly on you if you should offer to come and treat with me, but you need not fear him, he dare do you no harm: do you come freely and then you will live peaceably, which is much to be preferred before that troublesome life you are like to live if you do not come and treat with me.

This the Governor of Canada charged us to tell all the Five Nations but not to the Xtians; but wee being in one Covenant Chain think ourselves obliged to acquaint you with it.

Brethren.

Our Indians having by chance hunted some Mous and coming to Canada to dispose of the same have had this rancounter with the Governour of Canada and we give you the Belt to keep, as the head, and we being inclined to answer the Canada Indians desire your assistance in some p^{r}sent, to give, being now destitute of Belts.

Answer to the Indians.

We commend your fidelity in revealing what has been said to you by the Governour of Canada, whose fallacy and deceit you may now plainly see and discover. We thinke it not proper that this Belt be sent to the Five Nations, but remain in the hands of Aqueendero Cheif Sachim of Onnondage till the arrivall of his Excellency the Earle of Bellomont and the Sachims of the Five Nations, who will be here speedily when this whole matter shall be discussed; in the mean time no answer to be made to the praying Indians.

Rob^{t} Livingston Sêcry for the Indian Affaires.

A true Copy

(signed) Bellomont.

Earl of Bellomont to the Lords of the Admiralty.

[New-York Entries, C. 446.]

My Lords

This is only to acquaint your Lordship of my arrival at New York from Boston in the Arundel Frigat. The Newport at her going to Boston from hence, with nine Pirats and their effects (which were sent home by Rear Admiral Bembow) was extreamly out of Repair; and Captain Morris her Commander finding she could be better and cheaper repaired at Boston, than here at New York, desired me by Memoriall to direct her being fitted there, which I accordingly did, and she was not ready to sail till my leaving Boston; so that she came hither in company with the Arundel, both the Captains having promis'd to take in water and be ready to sail within three days, and then the Arundel is to cruise, as far as the Westernmost Cape of South Carolina; and the Newport is to cruise the contrary way, viz; along the Coast of Long Island, Eastward and so to Black Iland, Rhode Island, & to look into the Coast of Connecticut Colony.

I am with respect

My Lords

Your Lordships most humble

and obed^{t} Serv^{t}

BELLOMONT

New York,
26th July 1700.

Earl of Bellomont to Secretary Vernon.

[New-York Bundles, S. P. O.]

New York the 29th July 1700

Sir,

I am newly return'd hither from Boston, and have brought a fit of the gout wth me w^{ch} will force me to be brief in this letter. I find a wonderful discontent here among the officers and souldiers for being cut off 27 months pay and subsistence, and they having had credit from the Country for near that sum upon the account of that pay and subsistence; it has made so generall an outcry you cannot imagine. Tis fear'd the few souldiers that remain will follow their companions that have lately deserted in great numbers; and the next thing that's to be feared is we shall loose all our 5 nations at once, when they perceive our souldiers are run away; for they that are already in such dread of the French will be much more so when they see we are not in a capacity to protect 'em. The Victualers too are like distracted men, their whole fortunes being out for serving the King and Victualing his forces here. These are such things and reflect so much on the King's honour, and the management of Affairs in England, that really and truly I am almost at my wits end; and have the most uncomfortable time of it that ever any man had.

I doubt not but a gentleman at the Board of the Council of Trade laughs in his sleeve at all this, and I cannot but thinke him the author of the 27 moneths losse of pay, and without all doubt he advis'd the reduction of the four companies; if the King can forgive him such a treachery, 'Tis fit I should.

I am told there went from home ab^{t} a fortnight before my arrival here, a petition ag^{t} me, sign'd by all the disaffected people in the province, to the number (as they bragg) of 1500 hands. It was handed through all the Towns in the province; 'tis intended to occupie the leisure of the H. of Commons the next session. 'Tis strange that thó I was at Boston 300 miles from 'em, yet their malice would find me out at that distance, but their malice is what troubles me the least. The ill usage I have met with ab^{t} the not paying these four companies, and reducing them, and the not allowing me to make use of the 1500^{li} given me by this province in almost a year and half's time. These things and this treatment make me see myselfe poorly befriended by the Ministers —

I shall send all manner of papers I have ab^{t} Kidd (w^{ch} I thinke are not above 2 or 3) to you, by the first ship that goes to England, for I am not now well enough to go about it.

I am wth respect
Sir
Your most humble and
faithfull servant
BELLOMONT.

M^{r} Sec: Vernon

Lords of Trade to the Earl of Bellomont.

[New-York Entries, C. 393.]

To the Right Hon^{ble} the Earle of Bellomont his Majesty's Captain Gen^{ll} and Governour in Cheif of his Majestys Provinces of the Massachusets Bay, New York and New Hampshire in America and of the Territories thereupon depending &^{ca} Or to the Commander in Cheif of his Majesty's Province of New York for the time being.

My Lord

The several letters we have received from your Lordship since those we writ in April, May and June last, are dated the 20th and 23^{d} of April, and 7th and 25th May, the 22th June, and 9th of July last.

The first of those letters, being in a manner wholly about the Apprehensions, your Lordship was under from the several Nations of Indians, lying in the neighbourhood of your Goverments, and the same subject occurring also in your other letters; We referr ourselves for that whole matter, to the Informations we have already given your Lordship, of what his Majesty has been pleas'd to do, upon the first news of that allarm.

Having lately received back from M^{r} Sollicitor General, all the Acts of the General Assemblies of the three Provinces under your Government, that were in his hands, together with his Reports upon them, We have perused them all; And having also represented our opinion upon those of New Yorke, to their Excellencies the Lords Justices; We send your

Lordship here inclosed a copy of our said Representation, which their Excellencies have intirely approved of, and Mr Champanté having taken out the several Orders of Council made thereon your Lordship will receive those Orders from him.

We send your Lordship also herewith a Copy of some observations that we made, upon the reading of those Acts; by which you will perceive the reason of our declining to give any opinion, either for the Confirmation or Repeal of some of them, untill we can be satisfied in the doubts that are there exprest; And unto which We therefore desire your Lordship, to return us particular answers. And besides what is there exprest upon the Act for indemnifying &c., it may be further necessary, for your Lordships private Information, to acquaint you, that the Order of Council of the 7th of April 1692 declares, that upon humble application of the persons excepted in the General Pardon, Her Majesty would order them to be pardoned, and their Estates restored to them, as fit objects of Her Majesty's Mercy; And the Order of Council of the 13th May 1692, directs that their Recognizances should be discharged; which we conceive is all that ought to be done, till humble application be made to His Majesty, by the Parties concerned: And are also of opinion, that all the Acts Acts of Grace ought to begin with the King.

The reason of our suspending also at present to give any opinion, upon the Act for Vacating Grants &ca, You will perceive by the objections offered to Mr Sollicitor General against it, And his dubious Report thereupon, whereof We send you here inclosed a Copy; as likewise by the inclosed Copy of further objections of like kind, that have been laid before us, in the name of several Inhabitants of New York, unto which we expect Mr Champante's Answer, that we may have a full view of the Allegations and Arguments on both sides, before We determine upon it.

We wait only for an Answer from the Commissioners of the Customes, to a Query we have sent to them, relating to the Act for Establishing of Sea-ports in the Massachusets Bay, and then We shall forthwith report upon the Acts of that Province, and also of New Hampshire; for in all other points we are agreed.

We have now under Consideration all that your Lordship has writ, relating to Naval Stores, and the imploylng of Soldiers in the producing of them at New York, in Order to the laying the same together with our opinion thereupon, before their Excellencies.

This also will give us Occasion again to mention the necessity of preserving the Friendship of our Five Nations of Indians, and of repairing or building of such forts and fortifications, as your Lordship judges necessary for the several Provinces under your Government; But our Report in that point will be defective for want of those Calculations, Reasonings &c.: which your Lordship promises in your letter of the 22th June.

The Wast also committed in the Woods of New Hampshire, and the Trade of Ship timber from thence to Spain and Portugall, which will necessarily also draw on some mention of Mr Allen's Title, are matters that we intend to report upon, so soon as possibly we can.

In the mean while, as to the Production of Naval Stores at New Yorke We can only exhort your Lordship to make some experiment with the Soldiers that will now be there. And whereas the want of an Establishment for the 4d per day extraordinary, which your Lordship proposes to be added to their pay, will be an obstruction of the setting of them to worke; We offer it to your Lordship' consideration, whether it may not be convenient for their present incouragement, to allow them a proportion out of the produce of their own labour.

As to the charge of presents for our Five Nations of Indians, and of Forts not only in that Province, but else-where which may be for the General Security of all his Majesty's

Provinces on that Continent; untill some proper and effectual provision can be made here, We wish your Lordship may be able to improve your meeting with the Governours of Maryland, Virginia &c[a] towards the promoting of some method for raising every where contributions, as may be reasonable for such necessary services. And as for the busyness of New Hampshire, we cannot at present add any thing to what we writ you the 19[th] of April last.

The papers relating to pirates, which we received from your Lordship in your letters of the 23[d] April and 25[th] May, We transmitted to the Lords of Admiralty.

The Commissions for trying of pirates in the Plantations, pursuant to the late Act of Parliament for that purpose, are going on in the offices, through which they must pass, but not yet ready.

Notwithstanding all that we have been able to do, towards the promoting of what your Lordship has so oft desired, in relation to a Chief Justice and Atturny General for the Province of New York, yet M[r] Atwood and M[r] Broughton met with some stop in the Treasury, and we do not see, that anything further will be done in that busyness at present.

We observe what your Lordship writes in your letter of the 22[th] June, about the continued irregularities in the Government of Rhoad Island; but are not able to give you any further information of measures taken for the redress thereof; than what you will have already seen by his Majesty's order in Council, upon our representation on that subject which we sent you the 11[th] of April last. We are

My Lord
Your Lordship's
Most humble servants
sign'd, PH: MEADOWS
JOHN POLLEXFEN
ABR: HILL
GEO: STEPNEY
M: PRIOR.

Whitehall
September 19[th] 1700.

Representation of the Lords of Trade concerning New-York.

[New-York Entries, C. 406. MS. Lansdown, 849, fol. 80.]

To their Excellencies the Lords Justices.

May it please your Excellencies.

In obedience to His Majesty's commands signified to us by the Right Honourable M[r] Secretary Vernon the 4[th] July last, that wee should lay before your Excellencies an Account of what the Earl of Bellomont has proposed to us, in Relation to the security of His Majesties Plantations in the Northern parts of America, and the supplying this Kingdom with Naval Stores from thence, together with our Opinion thereupon; We humbly Report to your Excellencies, That the Earl of Bellomont has by several Letters to the 15[th] of July last, offered to us divers considerations to the following effect, Viz[t]

That the Province of New York being the most advanced frontier of His Majesties Plantations in those parts, the Defence and preservation thereof is of the utmost importance to the security of all the rest, not only with respect to the French of Canada, but against any insurrection of the Scatter'd Nations of Indians upon that Continent.

That the Forts and Fortifications on that Frontier, for want of timely repairs, are in so ruinous a condition that they will soon scarce bear the firing of a Gun upon them.

That the soldiers which were formerly four Companies of 100 men each, being diminished by Death and desertion to less than 200 in the whole, and afterwards reduced by a new Establishment to 50 men in each Company, are in a miserable condition, almost naked and ready to perish, by reason of the great arrears that are due unto them.

That our five Nations of Indians, who in the beginning of the late War consisted of 3500 are now reduced to about 1100 having suffered great losses during the War, and many of them having been Clandestinely murdered by the French Indians since the Peace: By reason of which weakness they are now enclined to shelter themselves under that Protection which appears to them to be the strongest.

That the posture of the french in Canada is much different from ours. They maintain in constant pay 1500 men; and are att work with great diligence in repairing all the Forts, of which they have eight or nine between Quebec and Montreal (within the space of Sixty Leagues) besides other Fortifications at a greater distance (as for instance one in the Dowaganahs Country Seven hundred miles from Quebec) by which means they endeavour to extend their Territories on the back of His Majesties Dominions, & seem to prepare for war.

That the French by reason of their several Small Forts, lying near one another, encourage their own people to inhabit and make settlements on their Borders; and by means of their remoter Forts, they drive a Trade, and keep up an interest with the Indians that live at distance, and have greatly animated them in their wars against ours.

That the French Emmissaries have spread malicious reports to fill our five nations with prejudices, as if His Majesty had given orders to Disarm & Extirpate them, and that my Lord Bellomont would use means to destroy them by poison; which Suggestions, together with the consideration of our weakness & the strength of the French, have made our Indians very wavering in their friendship towards us; So that their Defection to the French is to be apprehended; and, if that should be followed with the conjunction of all the other Indians in those parts, it would be of fatal consequence to the English Interests on that continent.

We beg leave to add to your Excellencies, That Monsieur d'Iberville Commander of a French Man of War of 50 Guns, in his return from Mississipi to France in July last, put into the Port of New York (tho' much out of his way) upon pretence to wood & water, but more probably with a design to sound that Channel and Harbour.

Upon this general view of affairs, the Earl of Bellomont proposes,

That the Fortifications of the Province of New York be repaired; and more particularly that those of Albany & Schenectady, on the Frontiers towards Canada, be rebuilt with Stone (the charge of which according to Colonel Romer the Engineer's Computation will amount to Eight or nine thousand pounds, and that two new Forts be erected, one to the North Eastward of Albany, at the end of a Lake called Corlaers or the Iroquois Lake, and an other in the Onondage Country, which lies to the North West ward, and is the center of the habitation of our five nations, & opposite to the French Fort at Cadaracqui, by which our Indians are much annoyed and their Trade obstructed. The expence of building which Fort in the Onondage Country Colonel Romer Computed at a thousand or Twelve hundred pounds.

And in Order to the repairing or building of these Forts, his Lordship desires that Spades, Shovels and other necessary utensils be sent from hence.

His Lordship intends also to propose the building of several other Forts, not only in the Province of New York but else where, which he conceives will be absolutely necessary for the security of all His Majesties Plantations on that Continent; And therefore advises, that His Majesty may be pleased to write Circular Letters to the Governors & Assemblies of each respective Plantation, to Excite them to contribute to the charge: But promises to Explain himself further upon that subject, and to send his reasonings thereupon by the next conveyance.

For the Garrisoning the Forts above mentioned, for the encouragement of our Indians to continue firm in their dependance on the Crown of England; And in general, for the defence of those frontiers, His Lordship proposes that 1000 Soldiers are absolutely necessary; And for the better removing of any obstruction that might arise from the charge of this Establishment, he has made a Scheme (which will be laid before your Excellencies in the Sequel of this representation) whereby the labour of these Soldiers in making Turpentine, Tar, Rosin, & Pitch, may defray the charge of their maintenance.

His Lordship offers that the Lieutenant Colonel may be made Lieutenant Governor of New-Hampshire. The Major, Governor of Albany, with such Additional Salaries as His Majesty may be pleased to allow, And that the Captains be of the King's Council both in New-York & New Hampshire.

His Lordship offers, That some Minister of the Church of England, be sent to live among our Indians, to instruct them in Christianity and to prevent their being practised upon by the French Priests & Jesuits.

In order to the produce of Turpentine, Rosin, Tar & Pitch; His Lordship Reports

That in Long Island, alias Nassaw Island, & on both sides of Hudson's River, between Albany & Schenectady, are growing infinite numbers of Pines, out of which Trees these Commodities are made, and that the water Carriage from the woods to the Port is cheap.

The foundation of his Lordships scheme is,

That One man may make five Tons of these Commodities in a year, one with another; and that the ordinary price of a Labourer at New York is 3^{s} p^{r} day; But that the Soldiers may be prevailed with to do the same work, if their present pay be encreased to 12^{d} per day.

The price therefore of each Soldiers Labour being 7^{s} Sterling per week, which amounts to 18$^{£}$ 4^{s} per annu, and the Stores to be produced by each man's Labour in one year being five Tons at eight Barrels to the Ton, it follows that the price of the labour in making one Ton of

	£	s	d
those Stores, one with another, will be	3	12	10
The price of Oaken Cask at 2^{s} 6^{d} p^{r} Barrel, is for one Ton	1	0	0
The carriage to the waterside, & from thence down to New York, together with all other contingent charges & managem^{t} in the Country, in which His Lord^{p} includes a salary of 200$^{£}$ p^{r} Annum for a Surveyor General, and 2^{s} 6^{d} p^{r} day to each Lieutenant for overseeing the Soldiers and keeping them at work (because he does not think that Soldiers will ever submit to be governed by other Overseers than their own Officers) all these several charges & allowances he reckons will amount to p^{r} Ton	1	5	0
And in the last place the fraight from thence to England he reckons p^{r} Ton	2	0	0
So that by this Computation the whole Cost of one Ton of those Stores brought hither would be	£7	17	10

But my Lord observes, that upon this calculation which he makes of 2£ p^{r} Ton for the freight, it may be objected, that the ordinary freight for Merchants goods is between 4£ and 6£ p^{r} Ton; To which he answers, that whereas Ships lye there several months for a freight, & some are forced to come away at last with half or three quarters of their lading, when this trade shall be settled, so that Ships may be dispatched in five or six days time, the freight will fall by degrees to 2£ the price which he proposes.

And since this Calculation, my Lord further advises that he had been informed, by one in New Hampshire, that he ordinarily by his own single labour made six Tons and half of Tar per year; and had been told by M^{r} Bridges One of the Commissioners sent over by the Navy Board to inspect Naval Stores in those parts, that a number of men assisting each other may make each man one Barrel of Tar per day, taking the whole year round, which supposing the men to work three hundred days per year amounts to thirty seven and half tons for each man.

That whereas in the foregoing calculation He reckoned that the casking Pitch and Tar in Oak would cost 20^{s} per Ton He found that Pine wood will serve as well for that use which may be had at 12^{s} per Ton.

That he is further encouraged in this design, by information he had received that at Carolina great quantities of Tar have been made, free from the burning quality ordinarily complained of, and proper for Ropes; That this Tar is there sold for about 3£ p^{r} Ton their money which my Lord computes at about 35^{s} Sterling. That Labour at Carolina is as dear as at New York & therefore that two thirds of the price of Labour being saved by employing Soldiers in this work, the price of Tar in New York would abate in proportion.

As for Pitch, He had been informed that when Tar in Carolina was about 8^{s} p^{r} Barril, Pitch was there sold for 17^{s} 6^{d} per Barril; which He esteems to be in proportion much dearer; But proposes (that if such disproportion be found in what shall be made at New York), That Tar only out of which Pitch is to be made be sent from America, and the Pitch afterwards made here; As esteeming it more advantageous to England to employ men (as much as possible) at home, rather than to encourage their going abroad.

The consideration of Masts & Ship Timber for His Majesties Navy, which according to His Lordships proposal may also be supplied from America, We reserve for a distinct Representation which we are preparing upon that subject.

My Lord likewise represents that Flax & Hemp may be produced there: But that it may be more advisable to encourage that Trade in Ireland.

To render the foregoing scheme more practicable, His Lordship offers that means be used to prevent the ill practice of burning woods to clear the grounds, which occasions a great waste.

That 1000 felling Axes may be sent him from hence.

That all the extravagant Grants of Lands formerly complained of as comprehending above ¾ parts of the Province of New York, made without any reasonable reservation of Quit Rent to the King, and tending to obstruct the peopling and the improvement of the said Province, should be absolutely vacated & rather by the Parliament of England than otherwise; because it will be more easily submitted to by the Parties concerned in private interest to oppose it, than if done by an Act of Assembly there.

That upon the vacating of those Grants, due provision should be made for regulating the conditions of all future Grants, in relation not only to the Extent, but to the situation, also of the Lands, the improvement thereof, the Quit Rents to be reserved, & whatever else may tend

to the General good of the Province; Unto which he also adds, that Commissioners may be appointed to set out the Lands proper to be allowed (according to these regulations) unto the Grantees whose former grants are to be vacated, that so the most improvable and useful Lands, lying on the side of Rivers, may not be wholly Engrossed by a few persons, and the rest for ever left waste, which in that case would unavoidably happen.

That His Majesty either by virtue of an Act of Parliament here or of the Assembly there may make use of Pines & other sort of Trees for making all the forementioned stores, on the Estates of all Persons within that Province without exception; And that the sole right to make use of all such Pines or other trees as are fit for Masts of ships, & of all such Oak & other Timber, whether straight or crooked, as will be proper to be used for building his Majesties Ships of War; should be also vested in His Majesty: Reserving to the Inhabitants the Libertyes only of House Boot, Fire-boot, Hedge-boot & Plough-boot; which proposal His Lordship insists upon as absolutely necessary; Because as the Lands of that Province are now granted, the King has not the power to cut a Tree, for any use whatsoever; and unless that obstacle be removed by some proper and effectual provision in the case, it would be vain to go about this design of providing Naval Stores there.

That the Lands on the Frontiers (comprised in some of the Grants proposed to be vacated) be distributed after Seven years Service in the Kings pay, to the Officers & Soldiers, in due proportions, under a Quit rent of 2^s 6^d p^r hundred Acres, & made unalienable by them to any but the King, which his $Lord^p$ proposes not only as a means to encourage them, but as the most Efficacious method to people the Country, & strengthen the Frontiers adding that if this had been practiced twenty years ago, there would have been now a thousand Families on one of those Grants, which with a Fort at the end of it towards Corlares Lake (the place before named) would have been sufficient to make stand against all the french of Canada and all their Indians.

And to enable the Soldiers the better to plant the lands that shall be allotted to them, after seven years service, His Lordship proposes that (in the mean time) 12^d per week be reserved out of their pay, and laid up in store for them, or further improved in Trade, for their advantage, that at the expiration of that time, they may have some small stock to begin with.

We next beg leave to lay before your Excellencies what has already been done in relation to these matters.

As to the Fortifications, His Majesty has been pleased to give five hundred pounds towards the building of a Sod fort in the Onondage Country, and his Lordship hopes to dispose the Assembly of New York to supply the rest.

As to Soldiers, recruits have been shipt by His Majesties Order, to make up the four Companies at New York 400 Effective men: Cloaths have also been sent them: And substance Money is now paid unto the Agent for them regularly every month.

As to the Indians, a Present of Fuzils, Cloaths &c. to the value of Eight hundred pounds has been sent to the Earl of Bellomont, to be distributed amongst them as he shall think convenient.

As to the making of Turpentine, Rozin, Tar, & pitch, we have advised my Lord to make what essay he can with those Soldiers he has, that we may thereby judge what further Encouragement is to be given for raising greater Quantities in Proportion; and because the want of the additional pay of 4 pence p^r day, proposed by him may obstruct the setting of

them to work, we have offered to His Lord^{p} that they may be rewarded from the profit made by their own Labour.

As to the waste of Woods occasioned by the burning of them: We have advised his Lord^{p} that he endeavour to get an Act passed in the General Assembly of New York for the reforming of that ill practice.

Upon Enquries made here concerning Turpentine, Rozin, Tar, and Pitch, We have had accounts somewhat different.

The Officers of Deptford & Woolidge have Reported to the Navy board that upon Tryal they find the Tar from America to differ in colour from what is ordinarily used in His Majesties Yards; That 'tis difficult to be tempered with Pitch, the stuff rising in the Kettle, which makes it troublesome and Dangerous; and that this Tar has the burning quality which consumes the Ropes. They grant however that it may be used on ship sides or Sheathings.

But we have been informed by Traders in that Commodity, That tho' tar from some of the Plantations has been formerly ill coloured, like that of Courland and Drontheim, yet there comes of late as good Tar from New England & as fit for ropes & all other uses whatsoever as that of Stockholm, which is esteemed the best; and they further remark, that the Tar which has most of the burning quality makes the best Pitch; so that where the Tar made in his Majesties Plantations has not that Quality, it may be preserved in kind; and where it has, it may be converted into Pitch.

And we have likewise been informed that there is as good Rozin brought from New England as any made in France.

Having also enquired into the Quantities of Tar & Pitch that have been imported of late years, we find that in the year 1693, 1694, and 1695, were imported into England about 13,500 Tons of those Commodities, which is 4500 Tons p^{r} Annum, whereof $\frac{3}{4}$ were from Sweden.

As to the price we find that in the year 1687, Stockholm Tar was sold here for 3$^{£}$ 16^{s} 8^{d} per Ton, and mounted gradually during the war) 'till in the year 1696 it came to 9$^{£}$ 16^{s} 8^{d} per Ton, & that it is now about 8$^{£}$ & Pitch about 10$^{£}$ per Ton; The great difference of which price from what it was formerly, does (as we understand) arise from the Privilege Granted by the King of Sweden to a certain Company, of His own Subjects, who have the sole right of buying and selling those Commodities, & thereupon advance the price at their pleasure.

Upon the whole matter we humbly offer to your Excellencies our opinion as followeth.

In relation to the Forts which the Earl of Bellomont has desired may be repaired or built in the province of New York, We agree with His Lordship that divers such Forts are necessary; But considering that the said Province has been much diminished, by the Separation of the Jerseys; and has of late been also exhausted, by the Extraordinary charges it was at for its own defence, during the War; We humbly conceive that it is now neither able singly to bear the charge of erecting, and maintaining the said Forts; nor tho' it were able, would it be reasonable to expect that Province should alone provide for the defence of a Frontier wherein the security of all His Majesties other Plantations on the Northern Continent of America is concern'd; We therefore humbly propose to your Excellencies that the most Effectual methods may be used to oblige the rest of His Majesties said Plantations to contribute in some due proportion to so necessary a Work.

In the year 1694, Her late Majesty proportioned a Quota for some of those Provinces, according to the following scheme, viz^{t}

Connecticut	120
Rhode Island & Providence Plantations	48
The Massachusets Bay	350
Maryland	160
Virginia	240
New York	200
Pensylvania	80

But in the settling of this Quota there was no proportion fixed for East & West New Jersey, only instead thereof a Discretionary power was left in the Governor of New York, during the War, to command any number of their Militia not exceeding 700; and there being also no mention at all in the said scheme either of Carolina or of New Hampshire (both which Provinces, tho' more remote from New York than the rest, yet are not unconcerned in the safety of those frontiers) we therefore offer to the foregoing Quota the Additions following. Viz^{t}

East New Jersey	60
West New Jersey	60
North & South Carolina	90
New Hampshire	40

And we further humbly propose, that His Majesty may be pleased to write circular Letters, to the Governors or proprietors of all those Provinces, or Colonies (the said Letters to be communicated to the respective Councills and General Assemblies) to require them to contribute to the charge of securing the Frontiers of New York according to the aforesaid proportions; which supposing the sum now to be demanded were five thousand pounds, would be as followth.

	£	s	d
New Hampshire	138	2	5
The Massachusets Bay	1208	11	3
Rhode Island & Providence Planta^{ns}	165	14	11
Connecticut	414	7	4
New York	690	12	2
East New Jersey	207	3	8
West New Jersey	207	3	8
Pensylvania	276	4	10
Maryland	552	9	8
Virginia	828	14	8
North & South Carolina	310	15	5
Making in all	£5000	0	0

The said proportions will serve for greater or lesser sums as your Excellencies shall think fit.

In the mean while We likewise humbly propose, that His Majesty may be pleased to make some further addition to the 500$^{£}$ already given towards the beginning of that work; which will also be a means the better to encline those People to follow his Royal Example. And that Spades, Shovels, & other utensils necessary for building the forts, be sent from hence, with 1000 Felling Axes for cutting Timber according to my Lords desire.

As to Soldiers, for the defence of New York and the neighbouring Provinces, we humbly offer that considering the strength of the french in those parts, and the dangers His Majesties Plantations are exposed to by their practices amongst the Indians, 600 men may be added to the 400 already there (in case His Majesty can spare that number) to make up the 1000, which my Lord Bellomont proposes as necessary; and that part of those soldiers be placed in New Hampshire, to prevent the incroachments of the French, and the Insults of the Eastern Indians, with which the Frontiers on that side have been lately and are still alarmed.

What the Earl of Bellomont offers in relation to the Employment & recompence of the Officers, that shall command these Soldiers, we humbly conceive may be better considered hereafter, when his Lordships proposals shall have been put in execution; and that His Majesty being then informed of their particular merits, will best understand what further Trusts it may be fit to employ them in, and how to reward them accordingly.

Concerning Ministers to instruct our Indians, & prevent their being practiced upon by the French, We humbly conceive that if a Fund can be found for the maintenance of such Ministers they may be of very great use & service, as well for the propagation of the Refomed Religion, as of improving the civil Interest of England.

As to Naval Stores, We agree with his Lordship that if they can be supplied from His Majesties Plantations, that would be a thing of great advantage.

It may defray the charge of the Soldiers that are otherwise necessary for the defence of the Plantations.

It will save to England a very great sume of Money yearly Exported in specie for those Commodities to the Dominions of the Northern Crowns.

It will tend to the encrease of our Shipping and Navigation.

The supply of Naval Stores will thereby no longer precariously depend on the pleasure of other Princes, or on the Dispositions of their affairs.

And if in time a greater quantity of those stores should be made in America than shall be consumed in His Majesties Dominions, the overplus may turn to a very beneficial Trade with Spain & Portugal.

Upon the several parts of His Lordships scheme for the Producing of those Stores, We observe.

That the price of Labour at New York & in the neighbouring Colonies being about 3^{s} per day, it is to be feared that Soldiers, finding they are required to work for 1^{s} per Day, will be apt to desert, and shelter themselves in other Colonies where they may have thrice as much Wages. To obviate which difficulty, and to give a more effectual begining to this work, (which we think so advantageous to the Nation, that it should be enrouraged almost upon any conditions.) We humbly propose that instead of the 4 pence p^{r} Diem to be added to the Soldiers pay, such Stores as they shall make by their own Labour; (for a certain term of years) be allowed them for their own use & benefit; provided that the Salaries to Supervisors & Officers employed on the Work, & other necessary charges be first deducted from the whole.

That Pine-Cask being (as his Lordship writes afterwards) 12 pence per Barril cheaper than Oak, & no less proper for the use intended, it may be well that such Pine-Cask be used; which will reduce that article from 20 to 12 Shillings.

That the Article of contingent charges not expressing what quantities His Lordship supposes were to be made, no Judgment can be given of his calculation in that particular.

That the computation of freight from New York to England at 40^{s} per Ton, seems to be too Low, for tho' a settled course of Trade when once this undertaking shall be perfectly established, will undoubtedly bring down the rate of freight lower than it is at present, yet the very length of the voyage (as we apprehended) will always require it to be nearer to 4$^{£}$ than 40^{s}

Upon what his Lordship has since writ to strengthen his scheme, and to remove the doubts that might arise upon it, we further observe

That if one man can make one Barril of Tar per week with his own single labour (as his Lordship was informed by the person who did it) there can be no doubt but a number of men by mutual assistance may be able to make much more; and tho' M^{r} Bridger's opinion that such a number of men may make each of them a Barril of Tar per day, the year round, appears very improbable, yet computing only two Barrils per week for each man (which seems a moderate supposition) the 3$^{£}$ 12^{s} 10^{d} per Ton (which my Lord allows in his first computation for the price of Labour) will be reduced to 1$^{£}$ 8^{s}.—

That the cheapness of Tar at Carolina mentioned by His Lordship is confirmed to Us by other hands, and that the Commissioners sent by the Navy Board to inspect Naval Stores in New England have writ from thence that in two years time they would be able to prepare Trees enow to supply the Kingdom of England with Tar to be delivered there at 5$^{£}$ 4^{s} per Ton, & hoped afterwards to do it at 4$^{£}$ 16^{s}—which rates being also cheaper than His Lordships first scheme, We cannot doubt but Tar may be made in the Plantations for moderate prices; and do agree with His Lordship that by the Labour of Soldiers it may be done still cheaper at New-York than else where.

As for the charge of converting Tar into Pitch, His Lordship's information hitherto being uncertain, and appearing to us very improbable, We humbly think it reasonable to suspend any resolution upon his proposal of making Pitch in England, until he has made a sure experiment of what is or can be done in America.

Concerning the quality of the Turpentine, Rozin, & Pitch, made in the Plantations, we have not heard of any objection, and as for the Quality of Tar (which is the Commodity of most consideration in this design) We cannot doubt but the Inhabitants have already in some degree reformed the faults complained of in what has been made there, and will by further Practice reform them thorowly.

As to the vacating of the Extravagant Grants of Land that have been formerly made in the Province of New York, there having been an Act past by the General Assembly there to make void several of them and objections having been offered to us in the name of the Grantees & other Inhabitants of the said Province against the Confirmation of the said Act, unto which we expect answers We humbly crave leave to suspend our opinion upon that point until we may be better enabled to do it, by a full examination of the allegations & arguments on both sides, that will be laid before us in relation to the said Act.

And what his Lordship proposes about appointing of Commissioners to set out Lands in proper places, & moderate proportions, according to new Regulations, unto the former Grantees, whose lands are or shall be taken away, & others; As likewise what his Lordship writes about the dividing of Lands amongst the Soldiers, All these matters depending upon the Vacating of the forementioned Grants, We are obliged in the same manner to suspend our opinion upon them.

But whereas His Lordship further writes that, as the lands of that Province are now Granted, the King has not power to cut a Tree for any use whatsoever, & that unless that obstacle be

some way removed it will be in vain to go about the design of providing Naval Stores there; and therefore proposes That all the Pine Trees & all other Timber, on the Estates of all persons whatsoever, without Exception be vested in His Majesty either by Act of Assembly there or Act of Parliament here, We do not conceive, that the Assembly there will pass any such Act to take away their own property, nor can we offer it as a thing fit to be done here.

Nevertheless We are of opinion that the want of such an Act should not obstruct the setting about this work, For timber Trees being very plentiful in those parts, it cannot be doubted but they may be had from the Proprietors on such easy Terms as will not be any Great hindrance, or at least not a Total obstacle to the carrying of it on.

All which nevertheless is most humbly submitted,

Whitehall
October the 4th 1700.

Th: Meadows
John Pollexfen
Abr: Hill
Geo. Stepney
Mat. Prior.

Report of the Councill of Trade upon my Lord Bellomonts proposalls for the security of the Plantations, & furnishing Naval Stores from thence 4 Oct 1700

Lords of Trade to Mr. Secretary Vernon.

[Mus. Brit. Lansdowne, MSS. No. 849, fol. 90.]

Whitehall, Octobr the 1700.

Sir.

Having lately received a letter from the Earle of Bellomont of the 26th and 31st of last July, wherein he continues to give some further account than what we have yet represented to His Majesty, or the late Lords Justices, of the unfair practices of the French of Canada in seducing our 5 Nations of Indians on the Frontiers of New York, and in destroying such of them as would not be perverted; We send you the enclosed Extracts of His Lordship's letter, and of two papers therewith transmitted to us, relating thereunto.[1] Whereupon, we humbly offer our opinion of His Majesty that orders be procured from the French Court to the Governour of Canada that a stop be put to such undue practices directly contrary to the late Agreement with that Court.

We judge it convenient that in any application to be made to the French, there be no mention made of the particular Indian or nation of Indians from whence this Information comes, lest it should draw upon them the resentment of the French.

Right Honble Mr Secretary Vernon.

We are, Sir,
your humble servants.
(sd) Stamford
William Blathwayt
John Pollexfen
Abr Hill
Geo Stepney
Mat. Prior.

[1] See ante, pp. 689, et seq.

Earl of Bellomont to the Lords of the Admiralty.

[New-York Papers, N. O., N 27.]

New York the 15th Octobr. 1700

My Lords.

He has recd their letters of the 14th 21st & 28th of June with the enclosed papers & passes.

I have lately recd your Lordps orders of the 14th 21th and 28th of June last & with your letter of the 21st of June I had your Lordps instructions of the same date, and with them your Mediterranean passes, oaths, and bonds for Masters of vessells. I immediately dispatch'd away a number of the said passes to Connecticut and Rhode Island. I shall this next week dispatch the rest to the Jerseys Pensilvania, Maryland, Virginia, and North & South Carolina, except those I keep for this port of N. Yorke.

The Newport frigatt goes home according to their order & the Ship Fortune laden with timber, which he hopes will not be found fault with.

The Newport frigat goes home according to your Lordps order of the 14th June, and with her I send the ship Fortune, formerly seized and condemned here in the Admiralty Court of this Province, and being a foreign bottom she could not be admitted to trade, and for that reason I send her laden with ship timber for the use of the King's Navy. I have been informed that the builders in the King's Yards at Deptford & Woolwich gave your Lordps an ill character of the specimens of ship timber sent home by Mr Bridger from Piscataway in New Hampshire; I cannot tell what that timber was for goodness, because I saw it not, but I believe if those builders will do this timber right, they cannot find fault with it; because I would send home that which was good and fit for the King's use, I sent my order to all the Master Shipwrights in this town to survey it, and they made their report to me; the order and Report are (N° 1.) in the same paper. Four or five of the Ship Wrights who subscribe the Report have served their time in the King's Yards, & Mr Littlemore and Diggins are now Warrant Officers, the first is Carpenter of the Advice and the latter of the Newport; all the Carpenters that have subscribed, except Mr John Latham declared their opinion, that the timber that goes home in the Fortune is as good as ever they saw in England. 'Tis pitty the ship cannot take in the whole parcell I have provided but I believe ⅔ parts will be left behind.

He sends a Copy of the Shipwrights Report about its goodness.

The ship Fortune which was built for sailing, will not take in the whole cargo.

He sends the invoice of the Timber.

I send an invoice of the timber now ship'd in the Fortune and also of that which is left behind and both invoices are in the paper (N° 2.)

And the Acct of the charge.

The account of the charges I have been at in providing this timber, both that which I now send and that which is left behind is (N° 3.) First essays in things of this kind are always dear and chargeable; yet if I could have sent home the whole parcell at once, I believe your Lordps and the Navy Board would have thought it a good bargain for the King. I am sure it will be abundantly cheaper than that which Mr Bridger sent home; and if this timber be approved by the King's Builders, I hope I shall find out a way to furnish the King yet cheaper and that at the merchands risque, the King to be at no hazard; but before I put such a thing in practice, as the agreeing with the merchands to furnish the King, I must receive your Lordps directions, with an intimacon how well this timber I now send is approved by the Navy Board and the King's Builders. I take the sending ship timber and navall stores from these plantations to be of the last consequence to England, for two substantiall reasons, vizt the keeping above £100000 a year in England, which at present goes in specie to the Eastland country, and making that a sure and certain trade (because our own)

which does not come so high as Mr Bridgers.

Yet he hopes to find it cheaper at the Merchants risque.

Sending timber from the Plantations will save England £100000 per Ann:

Secure the Trade.

which at present is foreign and precarious; and thirdly for another reason not lesse weighty than the two former, viz[t] the vast increase of shipping if this trade to our Plantations for ship timber and navall stores were duly incouraged and setled. The Eastland merchands will be apt to oppose this good design, they will cry up their own Diana, & perhapps will put every thing in practice to blast it; therefore it will stand in need of your Lord[ps] care & circumspection to support it against their artifices. The goodness of timber I cannot conceive to be intricate, and the Ship Wrights here may be judges of it as well as those at Deptford and Woolwich; but for the skill in putting it together and building a ship, we will vail to those gentlemen that are the King's builders.

and increase shipping.

The Eastland Merchants will oppose this design, but he hopes their Lordps will support it.

I have sent the Arundell and Newport frigats on three cruises apiece this last Spring and Sômer but they had not the luck to meet with any thing. I have thought it best to lett the Advice frigat stay here this winter, since she lyes safe for fear of runing any hazard in going out of this harbour. This town is so stor'd with salt that the merchands say there will be no occasion for their sending to Saltertudos this winter; therefore the Advice shall lay up till the first of the Spring, and then shall cruise, that being the likely time for pyrats on this Coast. M[r] Livingston a gentleman of the Councill assures me he has been told that Mays a pyrate, and another, came with two ships to the East end of Nassau Island, the latter end of last winter, and had to the value of halfe a million between 'em, that they sent privately to this town to know whether they might come in with safety and be pardoned, but that some men of the law frightened them away by telling 'em there would be no quarter for 'em if they fell into my clutches. M[r] Livingston says some of the angry men triumph much at their disappointing me, for say they, the matter might have been so ordered as that the Governor might have got a £100000 honorably and the Province been enrich'd; but wee owe him not that kindness (meaning me.) I was then at Boston and about that time I had notice from Rhode Island of Mays the pyrat's hovering about the East end of Nassau Island. I cannot persuade M[r] Livingston to name his author, and so cannot trace that story any further.

The Arundell and Newport have been on 3 cruizes each but found nothing.

The Advice is laid up till Spring.

Mays a pirate & another were with 2 ships last winter at the end of Nassau Island & had £500000 between them, but durst not land.

Some Scotchmen are newly come hither from Carolina that belonged to the ship Rising Sun (the biggest ship they set out for their Caledonia expedition) who tell me that on the third of last month a hurricane happened on that coast, as that ship lay at anchor, within less than three leagues of Charles Town in Carolina with another Scotch ship called the Duke of Hamilton, and three or four others; that the ships were all shattered in peices and all the people lost, and not a man saved. The Rising Sun had 112 men on board. The Scotch men that are come hither say that 15 of 'em went on shore before the storm to buy fresh provisions at Charles Town by which means they were saved. Two other of their ships they suppose were lost in the Gulph of Florida in the same storm. They came all from Jamaica & were bound hither to take in provisions in their way to Scotland. The Rising sun had 60 guns mounted and could have carryed many more, as they tell me.

2 Scotch Ships, the Rising Sun & Duke of Hamilton were lost the 3rd of the last month in a hurricane near Carolina.

All the men were lost.

They suppose two others of their ships were lost in the Gulph of Florida, the same storm.

The ship Fortune I send your Lord[ps] stands the King in £558 19 —½. New York money, which makes about £408. Stêrl. money, and M[r] Latham the Shipwright of best skill and experience here values the ship at near £600 Stêrl. that she will sell for when she comes to England as is made free. She is but nine years old,

The Ship Fortune stands the King in £408 and will sell in England for 600£.

and said to be an extraordinary sailor. She was thrown upon the King by the ignorance of the present Attorney Generall, and by a mistake of the Lieu[t] Governor of this Province when I was in New England. I formerly acquainted the Lords of the Councill of Trade with this matter, where your Lord[ps] may be informed, if you think fit, of all the particulars; but the King will be no looser but a gainer, as I have ordered the matter, I mean, by sending home the ship laden with ship timber. The timber I have provided standing me in £467 7 4[d]. this mony, I desire your Lord[ps] will please to order me £327. English, for so much it comes to, and make it payable, if you please to Sir John Stanley, for my use. 'Tis true in strictness I could not expect the full mony, till the full quantity of timber is sent home, but this is not upon a bargain, but a tryall I make at my own charge to serve the King. Therefore I hope I may expect to be reimbursed without the formality of delivering all the timber, before I receive any mony. I wish your Lord[ps] would please to ask Capt. Morrice and his Carpenter M[r] Diggins and also Capt. Deering for a character of the timber thats left behind on the wharfe in this town, & they'll tell your Lord[ps] 'tis better than that which is put on board the Fortune; for it seems M[r] Latham shipp'd that timber which came first to hand, and did not choose the best. Capt. Deering who was Lieu[t] to the Arundell frigat being desirous to command the Fortune home, I have with the consent of Capt Crow given him my commission to command her accordingly. He is an honest gentleman, and Capt Crow commends him for a good officer, and I hope he may deserve your Lord[ps] favour in providing better for him.

The proceedings about her were sent to the Comrs of Trade.

He desires £327 the charge of the timber he has prepared for the King may be pay'd him.

The timber left behind is better than that parcel shipt for England.

Capt Deering, Lt of the Arundell commands the Fortune home, whom he further recomends to their protection.

I am with respect

My Lords

Your Lord[ps] most humble and faithfull servant

(signed) BELLOMONT

Indorsed

Copy of the E. of Bellomonts letter of the 15 Octob. 1700.

The Lords of the Adm[ty] (26.)

Earl of Bellomont to the Lords of Trade.

[New-York Entries, D. 16.]

To the R[t] Hon[ble] the Lords Commissioners for Trade & Plantations.

My Lords.

My last letter to Your Lordships bore date the 26[th] of July last and gave you an account of my arrival here from Boston, the 24[th] of that month.

The General Assembly were to have met the next day, but did not so till the 29[th] because six of the members were not come down Hudson's River.

I send your Lordships my speech to the Assembly (N° 1) wherein I confined myself to the single point of preserving the Five Nations of Indians by settling ministers among them, and building a Fort; but how well they comply'd with me, your Lordships will know in the sequel of this letter.

The Address to me by the House of Representatives goes (N° 2.) The 31st of July the Representatives sent me six queries relating to the Fort I proposed to be built; to which queries I returned my answer in writing;[1] the said queries and answers are contained in the paper (N° 3.) Severall Bills were offered me and the Council by the Representatives for our passing; but some we thought frivolous and some had clauses inconsistent with the laws of England, which for those reasons we laid aside and only pass'd three laws, viz[t] An Act for appointing and enabling Commissioners to examine take and state the publick accounts of this Province: An Act against Jesuits and Popish Priests; and An Act for the better securing the Five Nations in their fidelity to His Majesty. This last Act I gave the assent to, with great reluctance, and I believe Your Lordships will think the treatment it deserves, is, to be rejected by the King with scorn, when it comes to be laid before His Majesty in Council. The Council were unanimously against this last mention'd bill's passing; first, because the sum of money to be raised thereby comes short of what I propos'd for building the Fort; secondly, because the manner of raising the said sum would be a further clog upon trade and would therefore not only not answer the end, but also cause a considerable decrease in the present revenue arising by customes. All this I was sensible of, and more than that, I thought the Bill derogatory to the King's prerogative that the House of Representatives should take upon them to appoint Commissioners to direct in the matter of building a Fort. Yet notwithstanding all these reasons I press'd the Council to consent to the Bill's passing, and if I may arrogate to myself any one happy or prudent step since my being in the Government 'twas that of procuring the passing of that Bill. I told the Council it signified not so much whether the end of the Bill were answer'd, or whether the Representatives had behav'd themselves with that decency and respect to the King that they ought to do in a business of that weight; but the conjuncture of affairs was cheifly to be considered. I was (I told 'em) to meet the Indians in a few days at Albany and if the Assembly should disagree to the building a Fort, the enemies of the Government would not fail to represent to the Indians such disagreement with all the colours of malice, which might cause such discouragement among them, as to make 'em without more adoe revolt to the French. This argument prevailed with the Council to pass the Bill.

I must acquaint your Lordships how the Representatives come to be so altered in their behavior since the time they settled the Revenue for six years. It proceeds from two reasons; first, that I have been tender of purging the militia (except in this City) of the disaffected party, and of putting them out of the Commission of the Peace; which tenderness of mine has heightened the insolence of that party, and extreamly discontented the Leisler party, who were the only men that voted the Revenue, and the Act that passed for breaking some of Coll. Fletcher's extravagant grants of lands. Another reason is, the many reports the angry party have confidently given out of their procuring another Governour to be sent from England, and what revenge they would then take of the Leisler party; one while they affirm'd that Coll. Fletcher was to come Governour again, another while Capt. Evans that commanded the Frigat here in Coll. Fletcher's time. The Leisler party who had felt the weight of oppression for seven years together, were so frightned at these reports, that one or two of 'em chang'd sides and gave in to the passing this foolish mony Bill. The long respite or suspention of the £2000 Act from being approv'd in England, I mean the mony which was given to me and

[1] This Answer will be found in *New-York Council Minutes*, VIII., part ii., 45. — Ed.

the Lieutenant Governour by the Assembly, and also of the Act which vacated some of Coll. Fletcher's grants, were urg'd as undeniable tokens of my disgrace, by the angry party; and I must own I thought so too, and the usage I have had in those two particulars has made me quite sick of these governments. I am not to be shaken or discouraged in the least by the unreasonable opposition of the angry people here, but when I find my services slighted in England, I cannot but be troubled.

I imbarq'd here for Albany the 10th of August as soon as I could prorogue the Assembly and arriv'd there the 13th. I cannot express the melancholy I was in after I got to Albany, for the Indians who I feared would have been there before me, made me wait a fortnight for their coming; so that truly I concluded them entirely lost to us. Some people fancied they were tamper'd with by some of the angry party at Albany. The Interpreter who was sent to hasten the Sachems reported that their minds were so possess'd with a jealousy of my intending them mischeif as the French had suggested to them, that they were all that while deliberating whether to venture to meet me at Albany. My conference with the Indians goes (N° 4) it lasted seven or eight days, and was the greatest fatigue I ever underwent in my whole life. I was shut up in a close chamber with 50 Sachems, who besides the stink of bear's grease with which they plentifully dawb'd themselves, were continually either smoaking tobacco or drinking drams of rum. They seem'd sullen and out of humour at first, but by degrees I brought 'em to perfect good tember. I am told there never appear'd so many Sachems at any conference as at this. There were above 200 men women and children, and 'twas with some difficulty we could find 'em in victuals.

I once intended to make some remarks on the heads contain'd in the conference, but I consider that would give too great length and scope to this letter, and would make it more troublesome to your Lordships than usefull. I shall only observe that the message I sent last Spring by Coll. Schuyler, Mr Livingston and Mr Hanson to the Five Nations was a most lucky step, and was, I may presume to say, the hindring the Indians from a revolt to the French. This will appear from what the Indians own in page the 5th of the conferences. I had the good luck to be too nimble for Bruyas the Jesuit and Monsr Maricour, and by my present of a Belt of Wampum I frustrated theirs; insomuch that upon their coming the Indians told 'em that they were pre-ingaged to me.

What's contain'd in page 11. about the Dowaganhas Indians coming to live near the Five Nations and in amity with them, is very considerable. If it can be effected it will be a mighty blow to the French. I ask'd our Indians what the number might be of those Dowaganhas that propos'd coming to live near 'em; they answer'd they could not tell their number, but there were 16 Castles of 'em, and there may be by that rule 3 or 4000.

My private conference beginning (page 18) and ending (page 23) is so call'd because I intended it should not be printed with the rest, but our printer being sick, I can have neither printed; and I think the less those things we transact with our Indians are made publick, the better 'tis for us.

Your Lordships will find (page 28) that the Indians press to have bounds and limits settled between us and the French.

There's a further confirmation (page 30) of the success of my message to ye Indians last Spring by Coll Schuyler &c.

Page 32 is wholly taken up with the thanks of the Five Nations by the mouth of Henry the Protestant Mohack, for the Act of Assembly which vacates Coll. Fletcher's grants of the Mohack's land to Mr Dellius Coll. Bayard &c.

I am in hopes of bringing the Eastern Indians to come and settle at and about Schackhook with our River Indians; 'tis a project I have formerly acquainted your Lordships with, which if I can accomplish will be of very great use to strengthen our Five Nations and annoy the French whenever we have a war with France. Your Lordships will find our River Indians make me an overture to that purpose in (page 34) our Schackhook or River Indians were of those Eastern Indians, but were driven from that country by the people of New England 26 years ago, in the war call'd King Philips war. Those Eastern Indians and our river Indians still retain their friendship and intermarry with each other.

The Penicook and Eastern Indians were cunning enough to send ten or twelve of their people to be present at our conferences at Albany, to watch & observe whether the Five Nations were in good intelligence with me. One of 'em I remember'd to have seen at Boston; he speaks good English and I discours'd him long. He told me the Jesuits made him and the rest of the Indians his neighbours believe the Five Nations were resolved to decline meeting me at Albany this time, and would revolt to the Governour of Canada. I was glad to hear the Mohacks tell those Eastern Indians that if they liv'd not peaceably with the English in New England, they would look on 'em as their enemies and cut 'em off. And indeed that is an unanswerable reason for the King's uniting the Provinces of the Massachusets and New Yorke always under the same Governour; for otherwise the Five Nations can never be so manag'd as to suppress the rebellions of the Eastern Indians. I gave the Eastern Indians presents and they seem'd well pleas'd.

I send your Lordships the memorial of M^{r} David Schuyler who was newly come from Canada to Albany, as I arriv'd there; it goes (N° 5) and the greatest use of it is to shew how many of our Indians the Jesuits have decoy'd from us.

A few days before my leaving Albany Samuel York an Englishman, escaped thither from Canada after a detention of ten years by the French. His Memorial which is (N° 6.) will give your Lordships some satisfaction. If the man be honest I hope to make good use of him. I have sent him with two or three of the Albany men and some of our Indians to the Dowaganhas and other remote nations to try to engage them in a trade with us. He has liv'd among 'em and speaks their language. Whether the Governour of Canada had a jealousy of my sending those nations or had the intelligence thereof from Albany (for some people believe that Bruyas the Jesuit and Mons^{r} de la Valliere staid there not so long last year to observe our poor and shamefull Fort there, but that they bestowed some of that time in securing a pensioner or intelligencer) I know not; but 'tis certain that [the] Governour has detach'd a Captain and 30 men to the Dowaganha's country and sent a pardon to a number of French hunters (whom they call Coureurs de bois) who have been in rebellion and refused to come to the Governour on his sumóns. Samuel York and also Jean Rosie a French man who lives at Albany and came lately from Montreal, assured me those Coureurs de Bois were very desirous to come and live under the King's obedience and would bring a great store of peltry with them, but they feared our Five Nations would both robb and knock 'em in the head; which is the reason I advise the Indians in my conference to give the French traders free passage through their country. If I can get these Coureurs de Bois to come to me, I make no question to draw the Dowaganhas to me; but if the French Captain and his party meets Samuell York and his Company (who are not above 10 men) he will certainly knock 'em in the head.

I sent Coll. Romer to the Onondages country to find out a proper place for erecting a Fort; my instructions to him go (N° 7.)

I send the Muster rolls of the four Companies bound up together and N° 8. I had the two Companies at Albany viz^{t} Major Ingoldesby's and Capt. Weemes's muster'd before me there, and my own and the Lieutenant Governour's here since my return from Albany, which is the reason of the difference of their dates. I never in my life saw so moving a sight as that of the Companies at Albany, half the men were without breeches shoes and stockins when they muster'd. I thought it shamefull to the last degree to see English soldiers so abus'd. They had like to have mutinied. Their petition complaining of the dearness and badness of their provisions goes (N° 9.) Another petition about their want of cloaths and fewell, goes (N° 10.) I made a new order for the mustering the four Companies every two months, a Copy whereof is (N° 11.)

While I was at Albany I discovered a very unfair practice in the Commissioners I appointed there for management of the Indian affairs, in bringing in large accounts of expences for the Indians, and Coll Schuyler, above all others, was guilty of this. To prevent which great expence and inconvenience I made the following order (N° 12.) the first three articles & part of the 4th your Lordship formerly had page 18 of the printed Conference that accompanied my letter to your Lordships of the 14th September. 98. but the fifth and sixth articles in these instructions now sent are wholly new; wherein I have taken care to limit the Commissioners in their expences for the Indian service. I found at my going to Albany, Aquendero alias Sadegenohty the Speaker of the Five Nations, with about 25 Indians more had been maintained at Coll. Schuyler's house, but at the King's charge, for 2 months. I found fault with that mismanagement and calculated the foremention'd order or instructions to prevent it for the future. Coll. Schuyler studies to make himself popular by that means; I should commend his so doing if he had made use of it to serve the King, but when he does it to serve himselfe and gratifie his own vanitie, I declared I could not approve of that. To give your Lordships one instance of Coll. Schuyler's vanity and what effect his having the Indian Speaker so long a training had on him: the 31st of August which was the last day of my main conference with the Indians, Schuyler had instructed the Speaker to call for him, and he contriv'd to be absent on purpose. When the Speaker call'd for him & desir'd I would send for him I thought it was fit for me to rebuke him. I told him I was the Governour & that the King had intrusted me with the choice of his Counsellors in this Province and that it was at my election whether I would have Coll. Schuyler continue one of His Majesty's Council or lay him aside. This was a foolish plot of Schuyler's, but such things do hurt; they perplex and distract the Indians and tend to lessen the authority of a Governour.

The parties have been much divided about my building a Fort at the Onondages; the Leisler party for it, and the others against it violently. There was an Address to me from some of the Inhabitants of Albany when I was there, a copy whereof is (N° 13) wherein they desire that Albany and Schenectade may be fortified before the Fort at Onondage be begun. The Mayor Recorder and about two thirds of the Inhabitants refused to signe the Address because they apprehended the general Assemblie had approv'd of the building a Fort in the Onondage country and that it was a good design for the service of the King and the Province.

Your Lordships will find in the conferences what presents I made the Five Nations and the River Indians; and an account of the charges of my expedition to Albany and of the presents, is (N° 14.)

In my return from Albany and on Hudson's River I met with your Lordships letters of the 11th & 19th of Aprill and 10th of May last, and with them I received the King's letter of the

28th of last March and one from his Majesty to the Governour and Company of Connecticut, which I sent to that Governour and have his receipt for it.

I was eight days and as many nights coming down Hudson's River in a little nasty sloop, which made my journey extreamly tiresome.

Captain Caldwell with the Advice frigat arrived here the 17th of last month and brought me your Lordships letters of the 21st of last June and a 100 recruits, tho' but part of the cloathing. Those expected from Ireland are not yet come. I am glad your Lordships have succeeded so well in fixing these soldiers subsistence and cloathing for the time to come, and in obtaining the presents for the Indians and £500 towards building the Fort at Onondage.

I shall be better able to satisfy your Lordships about that intended Fort when Coll. Romer returns from that country and has made me his report pursuant to my instructions to him. But according to my present idea of the country and it's situation in the map, there is an isthmus or neck of land on a vast lake lying northward of the Onondages, which will be the first place for a Fort, and so the Indian Sachems agreed with me; for Coll. Romer and I shew'd 'em the map, which they quickly comprehended. It will have a double advantage, first in securing some rivers that run into that Lake, through which rivers French us'd to pass when they made war upon our Syneck Nation, which they did in they year: 87. A second advantage will be that the Dowaganhas and those other remote Nations will be able to come and trade at our Fort there, in spight of our Five Nations; for they can come directly over that lake in their Canoes, without passing through any part of the Country where our Five Nations inhabit. And notwithstanding all the fair promises of our Indians contained in the Conferences, to embody with those remote Indians and receive 'em into the Covenant Chain they cannot be rely'd on altogether. They are apt to be perfidious, and 'tis much to be fear'd they will as often as they meet those Indians, rob 'em of their peltry and then knock 'em in the head, that they may tell no tales.

Mr Lodwick arrived here the 19th of last month after a tedious passage of 15 weeks; he brought me the originals of your Lordships forementioned letters of the 11th and 19th of last April and 10th of last May, also letters from the King of the 10th of last February and 29th of March, with letters also from the King to the Governrs of Connecticut and Rhode Island, which I sent them.

I desire your Lordships will please to send over two Ministers as soon as possibly can be, or we shall hazard the loss of our Indians; they press for Ministers above all things whatsoever. They ought to be young men or they will never be able to learn the Indian tongue. They must be men of sober and exemplary lives and good scholars, or they will not be fit to instruct the Indians and encounter the Jesuits in point of argument. I should advise their being both settled at the intended Fort, and for their encouragement they ought to have £150 a year salarie apiece Stêrl. money. Without a Fort 'tis next to impossible to prevail with the Ministers to live among the Indians; they are so nasty as never to wash their hands or the utensils they dress their victuals with. Their food is (some of it) loathsome to the last degree; tho' they eat great store of venison pidgeons and fish, yet Bear's flesh is a great part of their diet, and when they feast themselves and their friends, a dog is esteem'd with them a princely dish. The Corporation for Propagating the Gospell &c are worthy gentlemen and I am confident will at your Lordships desire order the salaries of the Ministers out of the Corporation Stock; and because your Lordships ordered me in your letter of the 21st of August 1699 to send you an account of the disposition of the stock in New England, I therefore now send an account of

the persons who receive pensions out of it, and also of the fond out of which those pensions arise; both which are contained in the same paper and (N° 15.) The persons against whose names I have set a Cross on the margin are Ministers. I have often told M^r^ Stoughton, who is Treasurer, and the rest of the Commissioners for management of that affair that I thought that Province able enough to maintain their ministers, and that the giving that mony to ministers that did not preach to the Indians in their tongue, and were so lazy as not to learn it, that they might the better instruct them, was a misapplication of the Corporation mony. I am a member of the Corporation myself, and we had some meetings at Boston to settle that business but did little in it. M^r^ Grindall Rawson is the only Minister in the list that speaks the Indian tongue and preaches in it. M^r^ Stoughton and I joyn'd in putting M^r^ Laborie into a Plantation where are some French and Indians, with a salarie of £30. a year; he had undertaken to learn the Indian tongue and instruct and preach to the Indians.

I was in great hopes your Lordships would have directed me to fall immediately upon fortifying at Albany and Schenectady; those forts are not only scandalously weak, but do us unspeakable mischeif with our Indians, who conceive a proportionable idea of the Kings power & greatness. The inhabitants came all about me at my leaving Albany and told me in plain terms that if the King would not build a Fort there to protect 'em they would on the very first news of a war between England and France desert that place and fly to New York, rather than they would stay there to have their throats cut. Several of the inhabitants of Schenectady told me the same of their Fort. I sent Coll. Romer to view it, and he reported to me that the gates of that fort were down, and that a cart might pass through the palisades or rather stakes. I desire your Lordships will please to lay this matter before the King. That Forts should be built at those places is undenyably necessary and should not have been thus long delayed; and that the Assembly of this Province will not be at the charge of building them, I am as certain. I have often talked with some of them about it, and the reason they give is not without weight: they say tho' the City of New York be tollerably rich and also Nassaw Island, yet all the other parts of y^e^ province are poor, especially the City and County of Albany, and not at all able to pay any proportion of such a charge. There are half a dozen at Albany who have competent estates, but all the rest are miserable poor. If the King would order me to begin to build forts at those two places, and order me a credit on some of the revenue offices in London, I would draw for small sums at a time till the King should either be assisted by the Parliament of England, or some way thought of to compell all the Plantations to contribute to the charge of these and all other necessary fortifications. I did not question but orders would have come for building forts at Albany and Schenectady, and therefore I had 400 wheelbarrows provided which have cost above a £100. This disappointment will be a caution to me hereafter, not to be so hastily wise and provident for the King as to anticipate his orders. If those two places are not fortifyed, this and the neighbouring Plantations will be defenceless and expos'd to a certain ruin if a war should happen between the two Crowns. The French of Canada are I doubt not well informed of all our circumstances since the last war. I find that in the year : 87. the Marquis de Denonville Governour of Canada march'd at the head of 2300 men against our Syneck Nation. The French are said to be much numerous now than they were then. They have, according to the information I have lately had, 200 officers and are able to double their standing force at a day or two's warning, by obliging the Burghers to enlist themselves. Then they are always provided at Montreal with magazines of all sorts, to furnish 'em for an expedition against us

or our Five Nations. Jean Rosie and Samuel York told me now at Albany, they have been in the armory there, and that there are arms for 2500 men with amunition in proportion, that there are 250 small boats, as many canoes, and 1500 pair of snow shoes or raquets, a pair whereof I now send your Lordships by Capt. Deering who commands the ship Fortune, that you may see the manner of them.

I find in looking over my papers and notes I had forgot to acquaint your Lordships of a petition of the Inhabitants of Suffolk County and another of those of Queen's County in this Province for the settlement of a Dissenting Ministry among them; the said petitions were deliver'd during that session of the Assembly wherein the Revenue was settled for six years. I gave no countenance to those petitions then, nor will I recommend them now: I think the best way is to forget them.

I suspended M^{r} Lancaster Symes one of the Lieutenants to Major Ingoldesby's Company of Fuzileers, and that on the 22^{d} of December 1698, for neglecting to go to his post at Albany after two years absence from thence. He has never apply'd to me to be restor'd and deserves for many reasons to be broke; which I hope the King will be pleas'd to consent to.

Major Ingoldesby has been absent from his post four years and is so brutish to leave his wife and children here to starve. I was forc'd to lend her £30. or she must have starv'd. I desire he might be commanded to his post immediately, or rather I could wish he were exchang'd for some discreet honest gentleman, that's a Captain in a Regiment in England. Ingoldesby is of a worthy family, but is a rash hot-headed man, and had a great hand in the execution of Leisler and Milburn, for which reason, if there were no other, he is not so fit to serve in this Country, having made himself hatefull to the Leisler party.

I suspended Parson Smith, Chaplain to these Companys on the 7th of last August for affronting my Lord Bishop of London and for living a scandalous life, in neglecting his cure, parting with his wife, and cohabiting with another woman.

I suspended M^{r} Augustine Graham (son of the Attorney Gen^{ll}) from the post of Adjutant, on the 14th of last month. He had 4^{s} per day for doing nothing. I saw him exercise three files of men (which made the guard here in the Fort) twice since my being in the Government. I thought his pay a superfluous charge, and his duty I will make the Lieutenant doe. Besides that, he is a most profligate man, often drunk, and then his common exercise is to break glass windows and disturb all the town in the night. I admonished him against his disorderly course of life, but I believe he will become sober when his father becomes honest. His father has plaid me a world of tricks and I am heartily glad your Lordships are sending over an able honest Attorny General; for M^{r} Graham has often misled but never assisted me, except in the charge I sent home against Coll. Fletcher.

Your Lordships direction to me in your letter of the 21st of August : 99. to send you my observations on the proposals made by the Proprietors of East Jersey and contained in the paper (marked M) will not now need to be comply'd with, since the Proprietors have carried the cause in Westminster Hall, and obtained a freedom of port for Perth Amboy

As to the Charter granted by Coll. Fletcher to the town of West Chester, M^{r} Graham the Attorny Gen^{ll} gave me that character which I transmitted to your Lordships concerning its extravagance and illegallity.

I send your Lordships a list of the present Council of this Province (N^{o} 16.) but am puzzl'd who to recommend for a supply of Counsellors, unless I should send the names of merchants. When M^{r} Atwood and M^{r} Weaver come over we shall be pretty well reinforced.

I shall observe your Lordships direction in getting some large masts of ships brought down Hudson's River at as cheap rates as I can, and will give your Lordships timely notice thereof, that you may send for them. But as for making an experiment (as you direct) with some soldiers in the making of tar, 'tis not possible to be done as the case stands, for the King has not an acre of land or a tree in this Province; unless the Act for vacating some grants, which I sent home, be approv'd. I know the Act stands good unless the King disapprove it, yet we are discouraged in the mean time from falling to work. Besides too the soldiers that work must be allow'd 12^{d} p^{r} day Stèrl. or we shall never get 'em to work. If your Lordships will get that Act approv'd by the King and the pay for 100 soldiers increas'd to 12^{d} p^{r} day English, I doubt not but to give your Lordships good satisfaction in that particular and that very soon. I mean the pay of a 100 men only, to be so increased, during the time the experiment is making. Now that I am upon the mention of the soldiers pay, I must crave leave to renew my former request, of having the £30 p^{r} Cent taken off. If I were to consult my own interest singly & would follow the example of him that went before me, I should then let the article of £30 p^{r} Cent. rest as it does, and put (as Coll. Fletcher did) the greatest part of it in my pocket. But I am for putting things on a foot that will be for the King's honour, & the soldiers case. In plain terms that deduction is an intollerable oppression upon the officers and soldiers, and unless it be taken off, we shall never be able to keep full companies. This country is dear for diet, and taking one thing with another (that is the price of cloathing with that of diet) 'tis full twice as dear living here as in London. A coarse pair of yarn stockins that costs 9^{d} in London costs 3^{s} 6. English, here; a pair of soldiers shoes that costs 3^{s} 6^{d} in London costs 7^{s} 6^{d} here, New York money; and so linen for shirts double the price it costs in London. And now I appeal to your Lordships whether it be prudent or reasonable or yet honest, that this deduction be continued. To remove the objection, that this proposition of mine will create a new charge to the King in paying the wages or pay of a Chaplain Store keeper Surgeon, Gunner and Matrosses, which us'd to be paid out of the 30 p^{r} Cent, I will undertake to order the matter so as to pay those Extraordinaries without any charge to the King, and that, by the improvement I will make of the soldiers pay, in trade, which is the only way that's practicable, to transfer their pay from England to this place. In a word the new Recruits had like to have mutinied at the sad provisions furnished by the victualer, so that I am now forc'd to pay 'em every Saturday duly, their subsistence in mony, and the same course I am going to take at Albany, where the soldiers have been worse used than here, to M^{r} Livingston's only satisfaction and profit; he having pinch'd an estate out of the poor soldiers bellies.

I have been put to much trouble in this method I have begun, of paying the soldiers subsistence in mony weekly; the merchants in this town finding I was forc'd to take up mony here and draw bills on the Agent in London, they combin'd together to traverse me all they could. At first they lower'd the exchange of the mony considerably, and what is worse they will now advance no mony at all on my bills; so that were it not for one Dutch Merchant and two or three Jews that have let me have mony, I should have been undone. This at once shews the wickedness of these people, and the necessity of returning the soldiers pay in trade, that so we may not be at the mercy of these merchants.

Before I quit this subject I must acquaint your Lordships that before these recruits came, we had very few men in the four Companies that were not fitter for an hospitall than for service. The old disabled men staid because they could not otherwise live, and the young fellows deserted to the neighbouring plantations, where they never fail of a wellcome. And these men will do the like unless the 30 p^{r} Cent be taken off, and their lives made easy and comfortable.

When I arrived here from Boston I found Capt. Ogden, who had been come about 10 days and had brought 50 barrels of powder and the number of beds mention'd in the following certificate. The powder I ordered to be opened and view'd and there were 5 barrells wanting in the measure, and great part drawn powder with pieces of wadds and carthrage paper, and decay'd powder that was clotted dust. The bedds all old, rotten and broke, and not packed up, but thrown loose into the ship, and so unfitt for use that they are scarce worth the mending. I referr your Lordships for farther information to Capt. Ogden's certificate upon oath (N° 17.) and his and his Officer's affidavit (N° 18.) I desire there may be a 100 good bedds with covering and sheets sent over as soon as may be; for if the recruits come from Ireland we have not a bedd for them; and here the inhabitants will not endure to quarter the soldiers.

The recruits that are now come from England are very clamorous about their Sea-pay, in regard they were put to short allowance in their voyage. I send their petition (N° 19.) and desire your Lordships direction what to do in it. I cannot (I tell 'em) answer the paying them but from the day of their landing.

There is a great want of a Court of Chancery here, but no body here understanding it rightly I delay appointing one till the Judge and Attorny General's coming from England.

I sent your Lordships with my letter of the 22th of June .98. the yearly amounts of the Revenue of New Yorke under M^{r} Brookes's collection and during Coll. Fletcher's government. I then took the medium of the five years produce of the revenue in Coll. Fletcher's time, which to the best of my remembrance was no more than £3300 in one year. And to let your Lordships see what improvement has been made of the revenue these two last years, since Brokes's being out, I send the amounts of the said two last years (N° 20) the year 1698 produces £5267 11 2¾. and the year 1699 produces £5400 19 6½; so that deducting the said years amount at a medium, from the last years amount or produce of the revenue, and it appears the increase or improvement thereof is £2100 19 6½. which is not an inconsiderable service to the King; and if I had an honest active collector to assist me, I will undertake to advance the revenue of this Province to double whatever it was in any year during Coll. Fletcher's government. I believe Coll. Courtland gives a just account of all the mony that comes to his hands, but he is grown very crazy and infirm, and is a very timorous man. In a word he has never yet made any seizure since his being Collector an I believe never would if he were 50 years to come, in that post.

The sales of the ship Fidelia seiz'd at Boston (which I forgot to send from thence) and of the ships Nassau and Adventure seiz'd and condemn'd here, are bound up together and are (N° 21.) The Nassau was commanded by Giles Shelly who brought above 50 pyrats and much treasure in her from Madagascar. There's a violent presumption that M^{r} Graham was brib'd by Shelly and so contriv'd his escape. The story will be long to trouble your Lordships with now, but another time I will acquaint you with it.

If the Commissioners appointed by Act of Assembly to take and state the publick accounts of the Province do not make a further examen into Coll. Fletcher's accounts than that I formerly sent your Lordships (and I much doubt whether they be very capable or skillfull in accounts) I cannot promise your Lordships a more exact Audit than that I formerly sent. I for my part cannot attend a work of that labour and we have not here so much as one man that has a talent for that sort of business;—For that reason it was I was desirous of M^{r} Follet's being made Secretary of the Province.

Your Lordships are pleased in your letter of the 19th of last Aprill to caution me against obstructing the course of the law in the suit depending between Coll: Allen and the Inhabitants of New Hampshire, wherein I have been so very carefull that I have not concern'd myself directly or indirectly either by word or letter, in that affair; insomuch that my indifference has render'd me suspected by either side, to be an enemy. Last post a gentleman writes me word from Boston that Mr Partridge was come thither and gave out to his friends that I privately favour'd Coll: Allens pretention. Your Lordships know how much truth there is in that surmise of Mr Partridge's.

In your Lordships said letter of the 19th of April, you incourage my further inquiry into the use that may be made of turpentine and brimstone for paying ships bottoms; which made me write to my author Capt. Belcher at Boston about it, and the extracts of two letters I have since had from him on that subject are both in the paper (N° 22.) I have talked with Mr Latham an able ship-wright here who wrought several years in the King's yards in England about that composition, and he is of opinion it will do extreamly well and will resist the worm. As I get further light into that experiment your Lordships shall know it.

The ship Fortune which I formerly acquainted your Lordships, was thrown upon the King by the ignorance of Mr Graham and some other concurring accidents, I now send to England full fraighted with ship timber, under the command of Capt. Deering who was Lieutenant of the Arundel Frigat, and was desirous to command the said ship Fortune. The reports your Lordships have sent me from the Navy Board and the builders in the King's yards at Deptford and Woolwich, upon the specimens of ship timber sent by Mr Bridger from Piscataway, have put me upon a nice and exact survey of the timber I now send (which is but a third part neither of that which I have provided) and that your Lordships may be rightly inform'd in the nature of the timber I send my order to the principall shipwrights in this town to survey the said timber, and their report after a survey made thereof, both which are contained in the paper (N° 23) The builders at Deptford and Woolwich in their said report preferring Eastland timber to that which Mr Bridger sent home, I do not like;—The word Eastland gives me a jealousie; it has an ill sound with it. We know very well the Eastland Merchants are a wealthy body of men. If Mr Bridger sent of the best timber I must suspect the candor and ingenuity of those builders. When I call'd all the ship wrights before me, whose names are to the forementioned report, and ask'd their opinions of this timber in the ship Fortune and that which lyes on the wharf, they all (except Mr John Latham) were positive that it was as good in every respect as any timber they ever saw or wrought on in England; but John Latham seeming to yeild a preference to English Oak, I advis'd the rest to submit to his experience. I send your Lordships in the paper (N° 24) an invoice of timber put on board the ship Fortune and also of that which remains behind, and which I will send along with the Masts which you order me to send to England of the growth of this Province. I also send an account of the charges I have been at in providing all this ship timber, both that which I now send and also that which stays here for another opportunity; the said account is (N° 25.) I desire Your Lordships will please to take such order as that I may be reimburs'd this mony out of hand, most part of which I am debtor, and let me not be so hardly us'd in this as I was in the expences I was out for taking Gillam the pirat, and for my journy to Rhode Island to execute the King's Commission of Inquiry; the account whereof I sent to England, but the Lords of the Treasury rejected it, and directed I should be paid out of the revenue of the Province, their Lordships not knowing, I perceive, that the King has not a shilling of revenue

in the Massachusets Province. This and a great many other discouragements I meet with. I send your Lordships a copy of my letter to the Lords of the Admiralty (N° 26) which may serve for your Lordships further information about this ship timber. As no interest or reward can possibly byas me against the good and interest of England and the affection & duty I owe her, so I cannot but have a jealousy for every thing that's for her advantage. The furnishing ship timber from these plantations (not only for the use of the Navy but also for the use of the Merchant if it may be so order'd) is of the greatest moment and advantage that possibly can be thought of for England, and it will, I perceive, stand in need of your Lordships utmost circumspection and care to support an inmate trade against an alien or foreign trade; which certainly no man that pretends to common sense or honesty will put in ballance.

Also the arrear due to the victualers of the Companys here, which I acquainted your Lordships in my letter of the 28th of last February last, was about £10000 and which I find mention made of in your Lordships representation of the 24th of last Aprill to the King, which you were pleased to send me a copy of with your letter of the 10th of last May, I find in my journal that Mr Livingston told me so on the 29th of July 1699. at Salem in my way from Boston to Piscataway. He is now here, and I ask'd him whether the debt due to him and the rest of the Victuallers amounted then to £10000, and I put him in mind of his telling me so at Salem; and he says in answer thereunto that he meant the whole arrear of subsistence due to the officers and soldiers, amounted at that time to £10000. I find there is a years subsistence due to the Victualers in Coll: Fletcher's time which makes part of the said sum of £10000

I have paid the Companies the 9 months subsistence from the 25th of March 1699. to the 25th of December following, and have given them and the victualers notice that the Agent had receiv'd the subsistence to the 19th of last June, besides 8 months clearings, which shall be paid out of hand when the Captains and victuallers have made up accounts. I shall never be able to raise mony here for bills of exchange on the Agent, as the merchants here combine against me; therefore I must be forc'd to instruct the Agent in London to invest the pay and subsistence in goods proper for this country. I had lost my credit with the officers and soldiers for want of mony to pay them (and the victualers for them) the 9 months subsistence, had it not been for the mony the Collector had in his hands, which the Assembly intended as a present for me, and which I was forc'd to borrow to answer so urgent an occasion. I am almost tempted to throw up the Agency and not meddle with it, but let the Lords of the Treasury order an Agent; for not being myself in London to take security of an Agent's faithfull discharge of that trust, I cannot but think I run some hazard. The Agent for the Companys ought to be a merchant of good skill and substance and should by right give good security in 6 or 7000£.

The General Assembly should have met the first of this month, but staid for the Albany members 10 days, those members having been almost so long on the river coming down. They have voted a repeal of the foolish Act they pass'd last session for the building the Fort at Onondage, giving a tax in lieu of that additional duty; so that I hope to have a good Fort built there and man'd by the end of next June.

Last Sunday the soldiers that came last from England were about to mutiny because they have not English pay. I got notice of it and put the ringleader in irons. The people of this town are some of 'em so wicked as to excite the soldiers to mutiny and some of the soldiers have confess'd so. The three Lieutenants that came with these recruits are very uneasy, and

told me if they could not have English pay they would go home again to England. I hope the government there is not bankrupt, that the King should be under the necessity of putting a hardship upon officers and soldiers that come to this dear country to serve him. I desire your Lordships above any thing to get the 30 p^{r} Cent taken off.

As Coll. Nicholson and Coll: Blackiston were coming hither (for they would needs make me the complement of coming to New Yorke) they were both taken ill on the way; Coll: Blakiston could come no further than Philadelphia and thence return'd again to Maryland. Coll: Nicholson made a shift to get hither, but was very weak with his fever. He came here the 22th of last month, and return'd the 11th instant. With him came M^{r} Penn and Coll: Hamilton Governour of the Jerseys. Coll Nicholson, M^{r} Penn and I, had some discourse about these plantations; the heads on which we discours'd were drawn up in short terms by M^{r} Penn and are (N° 27.) Coll: Nicholson's indisposition hindred us from putting these heads into better form, besides too M^{r} Penn has forgot to take notice of the first head we talk'd of viz^{t}. A method how to draw the remote Indians over to Us. M^{r} Penn's occasions called him hence the 4th instant, and Coll: Nicholson seem'd to think Coll: Blakiston's presence for the necessary for the observance of your Lordships orders, and doing somthing which might answer your expectation and the end of our meeting. We have determined to meet next spring at Philadelphia. The 6th and 7th heads or articles in M^{r} Penn's paper, Coll Nicholson and I declared to him were not pertinent to our purpose, the first of which is calculated to people his Proprietary Colony, and the next is already order'd as he has stated it, by the King's commission and instructions to us, that are Governours for the King. I shall hereafter offer some things to your Lordships consideration upon these and the like heads.

I am advised from Boston that M^{r} Benjamin Marston a merchant of Salem has sent away the planks for ships (which I formerly acquainted your Lordships of) to Lisbon, notwithstanding I cautioned him against it. He declared there was no Statute against so doing, and he would carry on his lawfull trade. M^{r} Partridge has taught the country that trade, which he never can make amends for. 'Tis a most injurious trade to England, not only as it helps our neighbours (and how soon we may call 'em our enemies we cannot tell) to build ships of war, but I will undertake to demonstrate also that that lazy and gainful trade will quickly loose our fishing trade to the French. The very next letter I write to your Lordships shall treat of the trade of these Provinces and of the fishery amongst the rest. I expect Coll: Romer every day from visiting the Onondages country and we will then offer something upon the head of forts and fortifications on our frontier.

I shall conclude with reminding your Lordships of a better salary for myself and some recompence for the time that's past. I have been out of England these three years and more, and if I were ask'd the question what I have done in that time for the advantage of myself and family, I could with truth affirm I have been nicely faithfull to the King and have taken a world of pains to serve the interest of England and come all this way to return in worse circumstances as to my fortune than I came from England. I am assur'd from good hands that the profits of the Governour of Virginia are £4000 a year, and those of the Governour of Maryland £2500 a year. 'Tis true those Plantations yield a great revenue to the Crown, and that's a good reason why those Governments should be profitable; I believe too they are worthy gentlemen that are the Governours; yet I have something to plead for myself which those Governours I am sure will not deny, viz^{t}. that all the revenue arising from those Provinces depends on my care and a right management of the Indians, especially the 5 Nations. And

more than that, there is not a man of truth in America that will not own that all our Plantations in America can subsist no longer than those Indians are our friends; even Barbadoes and the rest of the Islands depend on it, for their constant supplys of provisions are from these Plantations: some they have from England and Ireland, but that is casuall.

I am lately advised by a letter from London that the merchants of New Yorke had petition'd the King that they might be put under a distinct Governour from the Province of the Massachusets Bay; But I hope your Lordships will oppose so dangerous a step as that may prove to be, and rather gratify 'em in a new Governour who shall be Governour of both as at present. I have told your Lordships in the former part of this letter my reasons why the King will always find his account in putting this Province and the Massachusets under the same Governour.

Coll: Nicholson and Mr Penn endeavour'd to reconcilé the parties here, and took pains to reconcile me and the merchants. I told 'em I had no advances to make to the merchants unless it could be prov'd I had govern'd arbitrarily and oppress'd them in their trade, contrary to law; that for my part I was in charity with them and all the world, but if the merchants of New Yorke expected to be reconcil'd to me, upon the terms of my indulging them in unlawfull trade and piracy they should find themselves still mistaken, for I would be as steady as a rock in those points. Till these grants of land have had their doom these people are irreconcileable and 'tis the greatest hardship on me imaginable that the Act I sent over for vacating some of Fletcher's grants has not been approv'd by the King in all this time. One Montague their Solicitor writes 'em word hither confidently, that the Act will be rejected by the King, which keeps up their rage and their insolence; and not only the Grantees concern'd immediately in that Act are angry and disturb'd, but also all the rest that have vast tracts of land granted by wholesale; and that which seems to me an absurdity is, that four of the Council are of those Grantees vizt. Coll. Courtland, Coll: Schuyler, Coll. Smith, & Mr Livingston. And though Mr Graham be not one of them, yet he has been false to the King, notwithstanding the Representations he sent home to England, complaining of those extravagant grants and of their being ruinous to the Province; and plaid me many tricks to obstruct that Act's passing, which in spite of him did nevertheless pass. So that Mr Graham being also of the Council and a friend to the Grantees, they have five of the eight Councellors that are at present in the Province.

I have been much troubled to find my name brought on the Stage in the House of Commons about Kidd. 'Twas hard I thought I should be push'd at so vehemently when it was known I had taken Kidd and secur'd him in order to his punishment; which was a sure sign the noble Lords concern'd with me, and myself, had no criminal design in setting out that ship. Another mortification I have met with is the loss of a rent charge of a £1000 a year which the King was pleased to give me upon an Irish forfeited estate, in recompence of the great losses I had sustained by the rebellion in Ireland. If I have serv'd the King and interest of England here, I am sure I have been strangely rewarded there.

I am with respect
My Lords
Your Lordships most humble
and obedient Servant
BELLOMONT.

New Yorke 17th
October 1700.

P. S. Mr Champanté having sent me the copy of some artcles that were exhibited against me to the House of Commons last session by one John Keis a Scotchman, I had once a design

of answering them, till reflecting that the greatest part of 'em are palpable untruths, and those that happen to be true are trifling and of little moment, I thought it would be time mis-pent to answer such trash. To instance, in some of those false articles, I am accused of having remov'd Coll. Young with others from the Council, and Coll: Young was dead two years before my coming into this country. Dr Carfbile, whom I swore of the Councill is called a mountebank in one of the articles, whereas in truth he was a graduate Phisitian, having studied and taken his Doctors degree at Leyden, and was a very learned and honest man. There are a great many other grosse and impertinent untruths in those articles, which I do not think worth while to trouble your Lordships with. I think 'tis a hardship on every honest man that serves the King to the best of his power to have his name and reputation torn and vilified by a little vagabond Scotchman. And I should think such a man is accountable to the House of Commons for abusing them with untruths and wasting their time, and it would become their justice to punish men that make vexatious and groundless complaints.

I hope your Lordships will settle and send over the establishment for my increase of salary, very soon; otherwise I cannot possibly undergo the fatigue of business I have hitherto done. My part of the conference was every word dictated by me, and all the orders I now send, and which at any time I use in the Government, I am forc'd to draw with my own hand for want of a Secretary that's a man of business; and my pitifull salary will not afford my keeping a private Secretary that's capable of doing business as it ought to be done. If I be not at Boston next May's session of that Assembly (as perhaps the King's service may require my stay in this Province all next summer) I do not expect they will make any provision for me, either by gift or Salary. Therefore I desire your Lordships will ascertain my salary for that Province, if that should so happen. 'Tis a mighty discouragement to be a Governour to be so treated, and some reflection on the Administration in England that a thipg of that consequence should still be unsettled.

Since I finish'd (as I thought) this letter, I have received from Albany the good news of the Eastern Indians submission to the Five Nations, an account whereof your Lordships will find in the paper (N° 28) This is a most lucky thing, and the people of New England have reason to bless God that they are for ever hereafter secure and safe from a people that have been cruell thornes in their sides. And I may truly and modestly say that the King (as well as they) has some obligation to my labour and service herein. The submission proceeds from my management, when I was last at Albany, of the Eastern Indians which came thither to be present at our Conferences. Your Lordships will see by the said last mention'd paper that the Eastern Indians have renounced the Governour of Canada and the French. I will, God willing, be at Albany in spring, and will in the mean time appoint some of the Eastern Sachems and some of every of our Five Nations to meet me there, and I doubt not but I shall be able to make a perpetual Alliance and league of friendship between those Eastern Indians and our Five Nations.

I send your Lordships the minutes of Council relating to the last Session of Assembly, the Collectors Booke of Entries of Ships inward and outward from the 25th December 1699. to the 25th June 1700. and the Naval Officer's Book of Entries of Ships and Register, both for the same terme and time as the Collector's Book. I also send the copy of my letter to the Commissioners of the Customes. Besides the fore mention'd book of Minutes of Council relating to the business of the General Assembly, I also send two other books of minutes of Council for the months of April, May, June, July, August and September.

Conference of the Earl of Bellomont with the Indians.

[New-York Papers, N. O., N. 5.]

At a conference held at Albany the 26th day of August 1700 between Richard Earl of Bellomont Captn Genll and Governor in Cheif of his Majesties Provinces of New York, Massachusetts Bay, New Hampshire &c and Vice Admirall of the same; and the Sachems of the Five Nations, vizt, the Maquase, Oneydes, Onnondages Cajouges and Sinnekes.

PRESENT—Col. Peter Schuyler, Col. Abrah. De Peyster, Robt Walters } of his Matie Honble Councell.
Peter Van Brugh Mayor
John Bleeker Recorder
John Schuyler, David Schuyler, Joannes Roseboom, Albert Ryckman, Wessel Ten Broek } Esqrs Aldermen
Majr Dirck Wessels
Capt John Sanders Glen, Ryer Schermerhoorn } Esqrs Justices of ye Peace.
Thomas Williams Sherife
Capt. James Weemes.
Col. William Romer, Engeneer
Matthew Clarkson, Sêcry.
Capn S. Veitch
Mr Dunckan Campbell

Conference between the Earl of Bellt and the Sachems of the 5 Nations.

Interpreted by Jan Baptist Van Eps Lawrence Claessen.

Brethren

The Earls Speech.

I am cômanded by the Great King of England my master to assure you of my protection and kindnesse and that he will support you against all his and your enemies. I have been much surpris'd to hear what artifices the French of Canada have us'd to deceive and seduce you from your obedience to the Great King my master. I have been advis'd from your selves and the Eastern Indians that the French Jesuits have endeavour'd to perswade you and them that the King my master had form'd a design to destroy and extirpate all your nations and that by all the methods imaginable, that is to say by disarming you that you may become a prey to the Dowaganhaes Twichtwichs and other remote nations of Indians and by poisoning of you; and I have been told that the Jesuits have warned you not to come hither and enter into a conference with me, assuring you that I should meet you with a great armed force here to surprise and cut you off and that where that failed I should give you poyson to drinck in rum: but you shall find a treatment so contrary to what the Jesuits have insinuated to you, that if you do not give up your reason to those ill men, they will for ever hereafter passe with you for the greatest lyars and imposters in the world, and men that are a reproach to Christianity; and when you are acquainted with our religion, that is, the Protestant Religion you will find it is grounded on principles of truth and righteousnesse and not on lying artifices which the Jesuits teach and practise.

He assures them of the King's protection.

Has heard that the French Jesuits have insinuated to them, as if the King designed to destroy them.

And warned them not to meet him.

But he hopes they will now be undeceived, and find the Jesuits lyars & impostors

I have sent to England for Ministers to instruct you in the true Christian Religion. I expect some very soon over; for the present I shall settle Mr Vreeman an able good Minister, at Schanectade, who I intend shall be one of those that shall be appointed to instruct you in the true faith. He will be near the Mohacks and in your way as you come from severall castles to this Town, and will take paines to teach you.

He has sent for Ministers to instruct them, and in the mean time has settled Mr Vreeman at Shanectade to instruct them.

Who will learn their language in a year.

He has promised me to apply himself with all diligence to learn your language, and doubts not to be able to preach to you therein in a years time. I have another Minister, a learned able young man who I will also settle amongst you before winter. I doubt not but you will quickly perceive the vast difference between our religion and that which the Jesuits corruptly call the Christian Religion, when you have had the comfort and advantage of our Ministers sound doctrine, and I hope you will, when you are convinced of the truth of our religion, encourage those Indians of the Five Nations (whom the French Jesuits have seduc'd from us) to return to their obedience to the great King our Master; wherein you will also find your own advantage; for not only your friends and relations will come and live with you again (which will be a comfort to you) but you will be also strenthen'd by their union with you: for your own reason must tell you that while they continue under the dominion of the French, they are made your ennemies by interest, and will fight against and kill you as often as they are commanded soe to doe by their French Masters. Therefore I tell you again, it behoves you toe use all lawfull meanes and endeavours whatsoever to invite all those Indians that the French have debauch'd from us, to come and settle among you and bee united with you in one religion and interest.

He will send another before winter & hopes they will soon find a great difference between ours & the Catholick religion.

He advises them to use all means to draw those Indians, the French have seduc'd, back amongst them in which they themselves will find a great advantage.

He begins his conference with Religion, because he understands they desire to be instructed in it.

I have thought fit to begin my conference with you on the subject of religion, because I perceive you have an earnest desire to be instructed therein, and I heartily rejoyce to find you so well dispos'd. 'Tis without doubt a thing of the greatest moment whatsoever, because it concerns the wellfare of your immortall soules, and is the way to everlasting happiness.

Too morrow when he has received their answer, he will discourse them on another subject.

I will not say any more at present to burthen your memories; tomorrow I will discourse you on another subject, when I shall have received your answer to what I have now proposed to you.

ROBERT LIVINGSTON Sêcry.
for the Indian Affairs.

Second Days conference Albany the 27th of August 1700

PRESENT—The same Gentn that were yesterday

Names of ye Sacems

	MAQUASE		
Onucheranorum	Aenruchtse	Awanie	11
Sinnonquirese	Dekanodasse	Joseph	
Utsege	Wadoene	Henry.	
Tosoquatho	Aquedagoe		
	ONEYDES		
Caniachkonie	Actanaweei	Anitsoondi	6
Kanoquerie	Kanunawedagero	Dekanissore.	
	ONNONDAGES.		
Sadeganaktie	Canadsochere	Ogostrink	11
Otsagane.	Rodenodsedako	Kachradochen	
Kassawagenesse	Sorequasko	Soyesserio	
Tagodsage	Adjechne		

Cajouges.

Ossidudege	Toisrage	Dewadechon	11.
Ochquarriogutha	Tsugarages	Chasricha	
Rooswasse	Sauagie	Onnondgi	
Sadgeowaa	Sogonsroone		

Sinnekes.

Hajenquerahton	Osthowathee	Saringarawne	11.
Waojatiggie.	Towassanege.	Garogarie	
Tagissade.	Adissas	Tekajenwensie	
Towarois	Onnwadare		

50

Sachems besides about 50 young Indians.

Second Conference

The Sachems of the Five Nations viz[t] the Maquase, Onneydes, Onnondages, Cajouges, and Sinnekes reply to the Proposalls made them yesterday by His Excellency Richard Earl of Bellomont Capt[n] Gen[ll] Govern[r] in Chief of New Yorke &[c]

Aqueendera alias Sadegenaktie, Speaker, who said.—

The Indians answer.

Brother Corlaer.

They came hither by his Lordship's order.

Wee were ordered this Spring to come here and wait upon your Lordship and are now accordingly come and conveened together.

Yesterday wee had a conference and your Lordship made some proposalls to us, which is but a beginning; you told us of the evill artifices used by the French of Canada to deceive and seduce us from our obedience to the Great King our master, which was industriously spread abroad not only among our Five Nations, but among the Eastern Indians, viz[t] that our brother Corlaer your Lordship would disarm us, and if that would destroy us, then to poyson us in rum. You say that all these evill reports come from the French of Canada; Wee know it very well, but wee do not regard their stories, nor take any notice of it, because wee are of a peece, our hearts are steddy and constant, and wee lay hold of the old Covenant Chain made with this government under the Crown of England, which wee will keep firm and inviolable and will not mind or hearken to the French of Canada.

They had a report that his Lordship would disarm or poyson them.

Which was set on foot by the French, but they will not believe it and are resolved to continue firm to the Crown of England.

You say you will support us against all our King's and our ennemies; wee will then forbear keeping any more correspondence with the French of Canada, if the Great King of England will defend our people from the Dowaganhaes, Twichtwicks and other Nations over whom the French have an influence, and who have been encourag'd by the French to destroy aboundance of our people even since the peace between the two Crowns, and the present Govern[r] of Canada has not scrupled to own the same to some of us this last Spring.

If he will protect them from their enemys whom the French influence against them, they will break all correspondence with them.

They give him thank for his promise of Ministers.

You promis'd us a Minister that there should bee one at Schanegtade, by whom wee might bee instructed in the Christian Faith, as we come to trade at this City, and allso that another able young man should come from Boston and teach us; which is very acceptable and joyfull news to us all since he is so near at hand.

They had Ministers promised last year: since when

Wee are thanckfull to your Excellency that you will cause us to be instructed in the Protestant religion; we were told in our own count[r]y this Spring by those three Gentl. viz^{t} Col. Schuyler, M^{r} Livingston, and M^{r} Hanse, whom your Lordship sent, that wee should have Protestant Ministers to instruct us and a Belt was given upon it, which wee accepted of; since when the French have sent us agents from Canada viz^{t} Mons^{r} Maricour and J. Bruyas, Superior of the Jesuits, tending us by a Belt, Jesuits to instruct us in their religion: but wee told them wee had accepted of your Lordships kind profer of Protestant Ministers, and therefore declined and refused to accept of their Clergy or Jesuits into our country. Now wee are unanimously resolv'd and come to this conclusion to adhere firmly to Corlaer and bee instructed in the Protestant religion which Corlaer and his peoples professes. The French have to often deceived us by their doctrine and wee are resolv'd wee will be deluded no more by them.

the French have sent to offer them Jesuits.

whom they refused and will stick to my Lord and his religion.

Having been often deceived by the French.

Brother

You advise us to prevail with our Brethren who have been enticed away to Canada by the French to return to us; but wee must tell you it is not altogether in our power; the Governo^{r} of Canada has many wayes to draw and keep them; he feeds them when they are hungry and cloaths them when they are naked: for it is the French custome to cloath all those that are baptiz'd and receiv'd into their Church. This wee presume is a great inducement to our people to turn papists. Wee doubt if our Brother Corlaer would put the King of England to that charge. However tho' wee cannot cope with him, yet if our Brother Corlaer will lend his helping hand, then wee will doe our utmost endeavour to perswade them to return back to their own habitations.

They are afraid their Brother Indians will not return from the French where they are fed and cloathed.

They doubt my Lord would not put the King to that charge: however they will do their best endeavour to persuade them back.

They desire a Protestant Minister at the Onondage.

All wee of the Five Nations are come to this conclusion to have a Protestant Minister in Onondage the center of the Five Nations as soon as ever your Lordship pleases to send one. Wee have now answered to what Corlaer promised to us yesterday, and have no more to say now, till wee hear further what Corlaer will be pleased to say to us, when wee shall be ready to make our reply.

and are ready to reply to what further proposals my Lord shall make.

Whereupon the Earl of Bellomont told them that he would propose some thing more to them tomorrow morning about nine a clock.

A little while after, the Speaker Sadeganakti alias Aqueendero stood up and said:—

Wee have forgot something which is of moment, viz^{t} to pray your Lordship to take care when our people come here to Albany, that they may bee instructed by the Minister in the Protestant Religion as has been done formerly; lett that good work bee continued by all meanes, that wee may joyn together in devotion with our Brethren at Albany who are of the true reformed religion, which is the religion wee best approve of, as being built upon purer principles than that which the Jesuits teach, wherein wee can discern a great deal of artifice and fraud.

They desire their people may be instructed as often as they come to Albany, in the Protestant Religion.

Then the Sachems withdrew & the Protestant Maquase Indians desir'd to speak to his Lordp.

As soon as the Sachems of the Five nations had made an end of their discourse and were withdrawn, the Protestant Maquase Indians pray'd they might be admitted to speak to his Lordship; which being granted, Henry, the Maquase, spoke as follows:—

They have prevailed with five of their people not to go to Canada, but to stay under the King's protection.

Wee have been mindfull of what your Lordship proposed yesterday, that all endeavours ought to bee used not only to draw our people from Canada, who have been seduc'd by the Jesuits, but to prevent any of our peoples going thither; Wee are now come to acquaint your Lordship that wee have prevail'd

upon Brandt and Jacob and three more of our people that were design'd to goe and live at Canada, who are now fully resolved to stay in their country. Upon which Brandt the Maquase stood up and told his Lordship that he was satisfied he had been in the wrong in designing to goe and live at Canada; he was now convinc'd of his error, and now fully resolv'd to stay in his own country and lyve and dye under the obedience of his Majestie of England and be further instructed in the true Protestant Religion.

My Lord commends their diligence & assures them of his favour.

My Lord told them, That he was well satisfyed with the diligence and integrity of Henry and the rest of the Protestant Maquase in using of their endavours to advise Brandt and the rest of their Brethren against their removing to Canada, and told them they should have no cause to repent it, for his Lordship would shew him all the kindness imaginable, and sayd further it would be very pleasing to his Lordship to see them united and live like loving brethren together.

ROBERT LIVINGSTON Sêcry.
for the Indian Affaires.

The third dayes conference. Albany the 28th of August 1700.

PRESENT—the same Gentlemen as before.

Third Conference.

The Sachems before mentioned being again conveened before the Earl of Bellomont his Lordship expressed himself as follows:—

My Lord's speech.

Brethren

He is satisfied of their zeal for the Protestant Religion, which he will report to the King as a means to recommend them to his royall protection.

The zealous desire you expressed yesterday to have Protestant Ministers settled among you to instruct you in the true Christian Faith is very pleasing to mee, and will be very acceptable to the Great King our Master when I report it to his Majestie which I will not faile to do by the first opportunity; it will be for advantage that I communicate to the King the great disposition you are in, to become Christians and faithfull subjects to his Majestie, because it will effectually engage his Majestie to support and protect you at all times.

He would place a Minister or two in the Onondage Country;

but they are unwilling to go so far, till a Fort is built there which the Assembly have resolved.

I question not but in a short time you will be furnished with able Ministers to instruct you in the Protestant Religion and I would place one or two Ministers in the Onnondage country which is the center of your Five Nations, as you have desir'd, among the propositions you made mee yesterday, but I have discours'd with Ministers on that head and find they are not willing to go so farr off, unless there were a fort for your and their security; and you having formerly solicited mee to build you a Fort to cover you from the incursions of the French and their Indians and espetially from the insults of the French garrison at Cadarachqui; I have thought it adviseable that a good fort bee built in some part of the Onnondages Country and the Generall Assembly of this Province have concurr'd with me in that design, and have appointed a tax to defray the charge thereof.

And he will send the King's Engineer to view the properest place.

I have also brought the King's Ingeneer along with mee, whom I will order to goe and view that country and report to mee the properest place for erecting a Fort, and when he has made his report to mee, the work shall bee carried on with all possible dispatch.

He questions not but the King will fortify Albany and Shanectade very speedily;

I have writ so effectually to the King about fortifying this town of Albany and Schanegtade that I doe not doubt but his Majestie will give some order therein very speedily; 'tis for your interest and security as well as ours that these places be well fortified, for as wee are to be intirely linked together in the same religion and interest, soe wee must goe hand in hand and stand and fall together; and I doubt not but the Great King of England our master will resent all injuries done to the Five Nations in the same manner as if done to the rest of his subjects; but whatever Forts are made or repaired I think it absolutely proper that the beaver trade bee wholly mannag'd within this town of Albany. There are severall good reasons for it, and one is that it will bee for your benefitt that the trade be carryed on under the eye of the Government, whereby you will bee lesse exposed to bee wronged and over reach'd; for here you will have the countenance of the governm^{t} which you cannot so well have at a greater distance, and your own reason must tell you that the more you correspond with the English the greater kindness and justice you will receive at their hands. I observe the trade here, is not under a due regulation, but I will take care to rectifie that, and make every thing easy to you.

and resent all injurys done to them as to his own proper subjects

But proposes the Beaver trade to be carry'd on at Albany.—

and will take care to regulate it.

Robert Livingston Sêcry.
for the Indian Affaires.

Continuation of the Third Dayes Conference Albany 28 August 1700
Post Meridiem.

The Sachems of the Five Nations reply to the proposalls made this forenoon by the Right Hon^{ble} Richard Earl of Bellomont Capt^{n} Generall and Governo^{r} in Chief &^{c}

Sadeganachtie, Speaker

The Indians Answer.

Brother Corlaer.

This is the ancient house wherein wee speak to one another, the house of conference between your Lordship and the Five Nations; whatever newes wee have from the Dowaganhaes and other remote Indians wee communicate it all here and conceal nothing from Corlaer. The Dowaganhaes have had Agents in our country this summer by whom the promised to come and settle at a place called Deganatiuchtiage on the other side of Cadarachqui Lake, but are not yet come. Wee acquaint you that wee will use all endeavours to prevail with them to come to us and lay down a few hands of Wampum, which they call a cord to draw them by.

The Dowaganhaes have promised to come & settle on the other side of Cadaracqui Lake.

Brother.

All that you have this day proposed to us wee accept of and will stand to it, viz^{t} of the two Ministers that are to be at Onnondage; it is very acceptable to us. Wee fear that Corlaer will not cloath the Converts as the Governour of Canada does, for when our Indians goe out a hunting and have bad luck, taking nothing, they go to Canada, and the Governo^{r} cloaths them; by which meanes they are induced to turn Papists by the French charity and caresses.

The French charity and caresses induce the Indians to turn Papists

Wee desired yesterday that there may be a Minister established here as well as at Schanegtade, to instruct our people in the Protestant Religion, as it has

They desire a Minister may be settled at Albany to instruct them.

been formerly; pray let that not be forgotten, for wee stay longer here by reason of our tradeing then at Schanegtade, which wee only pass by transiently, for during that time our people may be instructed in the Christian faith. 'Tis true wee will be induc'd to stay a night longer now at Schanegtade upon the score of being instructed by the Minister there.

Wee have consented and agreed to what ever your Lordship has proposed to us, and think it very requisite to keep a good correspondence with our Brethren the English, and that the trade be solely confined to this city of Albany; but pray let there be a good regulation in the trade, and let us not be wrong'd and overreach'd as wee have been, but let goods be as cheap as formerly, a fathom of duffells for a Beaver skin, a fathom of strowds for a Beaver; then wee shall live as Brethren and Christians together; pray let us have good penniworths and that continually, and let not the Beaver traders goe to the old Trade again as they will probably do in two dayes time; for they used to take a piece of stick as long as your arm (meaning an ell) and measure the cloth by that, and give us one of those sticks length of Cloth for a Beaver, and then they take that Beaver and puts it in a scale and a piece of lead in the other scale, and if it does not weigh down that piece of lead, they scruple to take it. You must certainly conclude that when our people comes here with four or five Beavers and they get but one coat for it, it must trouble us much; therefore if it be possible let these things be rectified, but if it be not, our Covenant Chain shall nevertheless remain firm and inviolable.

The agree to confine the trade to Albany.

desire it may be regulated.

and the prices of cloath moderated.

and their Beaver skins not weighed.

Brother

Wee have now done speaking of the trade which induc'd us at first to make the Covenant Chain together, which wee will keep without the least breach and wee approve extreamly of what your Lordship propos'd to day, to goe hand in hand together, and to stand and fall together, and that your Lord^{p} will support us against our ennemies. But pray let it never be sayd that if there bee any mis-understanding or a thing done amiss by one or a few men, that therefore the Covenant Chain must be broke; for it were unreasonable that the whole body of us should suffer for the faults of a few men. Therefore if any fault be committed, wee are willing that reparation be made by the parties offending, but not that the Covenant Chain should be broke.

The trade was the first inducement of their Agreemt

They desire the faults of a few People may not make a generall misunderstanding:

but the offenders punished.

My Lord said to the Speaker, that the Five Nations had often insisted on two things, viz^{t} Ministers and a Fort, and his Lordship has not heard them make any answer as to the Fort, and was therefore jealous that the Speaker did not speak the sense of the Five Nations.

My Lord taking notice the Fort soe often desired by the Five Nations was not mentioned.

Whereupon Sadeganaktie the Speaker, said, that he had thank'd his Lordship for what he had propos'd to day, and they accepted of it thankfully all in generall terms; wherein that of the Fort was included; and he does now in behalf of the Five Nations thank his Lordship not only for that his Lordship will build a fort at Onnondage, but for sending the Ingeneer for looking out a convenient place, and that your Lordship has got the Assembly to raise a tax to defray the charge thereof; all which is thankfully acknowledged by us, and allso that your Lordship will go speedily about the making the said Fort assoon as you receive the report of the Ingineer.

The Speaker thank'd his Lord^{p} for it & desired it may be speedily begun.

To that My Lord answered; He expected, that seeing they had so often urg'd him to build a Fort for their defence, he wondered they should now omit to speak particularly to that point; and since they were so very desirous to have

My Lord then told them plainly no Minister would go to the Onondage country till a Fort was built.

Ministers settl'd in Onnondage country, he must be so plain as to tell them that he found it absolutely impossible to engage Ministers to go and live there, unless there were a Fort there to secure them from the French and their Indians, and that he was sure that for all the Bevers the Five Nations should take in a year, a Minister would not be prevail'd with to goe and live in that open country to the hazard of his life.

The Indians make an apology for some of their people who had taken one Charles Smith from Virginia.

Here the Indians, by the Speaker, made an apology for some Sinnekes taking one Charles Smith an Englishman of Virginia and detaining him five years in their country, and sayd:—Some of our young men are like doggs, that snatch at a peece of meat when ones back is turn'd: some of them passing by Virginia happened to meet with this Charles Smith and carryed him along with them, whom they now deliver up to your Lordship, begging pardon for these young mens offence, and withall gave a Belt of Wampum, by which they prayed his Lordship to send him home to his relations.

whom they now deliver'd up to my Lord.

ROBERT LIVINGSTON Sêcry
for the Indian Affaires.

The Fourth Dayes Conference. Albany the 29th of August 1700.

PRESENT,—the Gentlemen, as before.

4th Conference.

The Earl of Bellomont says upon the reply of the Five Nations yesterday to his Lordships propositions the day before, as follows:—

Brethren.

The French are but at a small charge in cloathing their Proselites, who are few.

There is a great deal of difference between the number of Indians in Canada and the Five Nations; the French can be at no very great charge to cloath their proselites; yet however tho' your number be so much greater, I will give you all reasonable encouragement, but withall I must tell you tho' it is the Jesuites custome by bribes and rewardes to purchase proselites, it is not the practise or method us'd by Protestants; for we hold that those only are good Christians who profess Christianity out of faith and a good conscience and not upon the score of worldly interest.

Nor is it the Custome of Protestants to reckon those good Christians who turn for worldly interest.

Mr Lydius the Minister of Albany will learn their language.

In answer to your desire of a Minister here in Albany, to instruct you in the Christian religion, I am not only willing but glad to gratify you therein, and I will engage Mr Lydius the Minister of this town to take paines with you and learn your language that he may be the better able to serve you in the work of the gospell, and I hope in a little time to have the Bible translated into your language and to have some of your children taught to read, so that you may have the comfort and edification of God's Word, which I am sure will be hugely pleasing to you when your children are able to read it to you. Now that I am upon this subject, I wish you would send two or three Sachems sonns out of each Nation to be kept at School at New York where I will take care to have them taught to write and read both English and Indian, and they shall be well cloathed and dyeted at the King's charge and after three or four yeares that they are perfect in their writing & reading they shall return home to you and other boyes shall come in their places; by which meanes you will always have those among you that will understand English and will be serviceable to you upon many occasions.

He hopes to have the Bible translated into Indian.

And proposes the sending two or three Sachem's sons of each Nation to New Yorke where they shall be kept and taught at the King's charge.

The goods at Albany shall be afforded as cheap as possibly.

As to the cheapness of goods here at Albany which you allso mentioned yesterday, I promise you that care shall be taken that the goods shall bee afforded as reasonably as can be expected; you your selves know that the Trader must have some advantage by his goods, or he cannot live; but that advantadge ought to be within reason.

He takes the restoring of Smith, very kindly.

I take it kindly that you have restored Charles Smith; but I must caution you never hereafter to suffer any of your people to cômit the least hostility on any of the King's subjects, either in their persons or goods, for the King our master will not hold himself obliged to relieve or protect you, if you do any violence or injury to his English subjects. I have some complaints at this time made to mee of mischief lately done, by some of your people, in killing their cattle above Schanegtade; I desire you will inquire into the matter and take such order that reparation may be done the people that have been so wronged; the English lawes are the best law's in the world, and in all English governments justice is exactly done upon all people indifferently, upon the rich as well as the poor.

And desires reparation may be made for the Cattle killed at Schanetade.

He desires guides for Col. Romer, & that some of the Sachems may meet and advise with him in the Onondage country.

I desire you will send three or four of your Onnondage nation along with Col. Romer the King's Ingeneer to be guides to him into that country and likewise to guard him from any danger that may happen; and I could wish some of your Sachems would meet him there that he might advise with you about the properest place for erecting of a Fort; I mean such a place as will by it's scituation best command the passes into that country, so to cover you from the inroades of the French and Indians.

Tomorrow he will give them the King's present.

To morrow I intend to give you the King's present, and shall then dispatch you, that you may return to your families.

ROBERT LIVINGSTON, Sêcry
for the Indian Affaires.

Albany the 29th of August 1700.

A private conference

At a private conference which the Earl of Bellomont had with two of the principall Sachems of each of the Five Nations of Indians, and one of the Protestant Maquase.

PRESENT— Col. Peter Schuyler
Col. Abraham de Peyster
Robert Walters Esqr

E. of Bellomont's proposalls.

His Lordship proposes to them as follows:—

Brethren

You must needs be sensible that the Dowaganhaes, Twichtwichs, Ottawawa, & Dionondades and other remote Indians are vastly more numerous then you Five Nations, and that by their continuall warring upon you they will in a few yeares totally destroy you. I should therefore think it prudence and good policy in you to try all possible means to fix a trade and correspondence with all those nations by which meanes you would reconcile them to your selves, and with my assistance I am in hopes in a short time they might be brought to be united with us in the Covenant Chain, and then you might at all times without any sort of hazard goe a hunting into their country, which I understand is much the best fo

That a trade may be fixed with the Dowaganhaes &c

And some of them persuaded to come to the Earl of Bellomont.

Beaver hunting; I wish you would try to bring some of them to speak to mee, perhaps I might prevail with them to come and live amongst you, and I should think myself obliged to reward you for such a peece of service, as I tender your good advantage and will alwayes use my best endeavour to preserve you from all your enemies.

That they will employ 200 of their Indians to work at the Fort for the same pay with the English.

2 I expect you that are Sachems will use your authority over your young men to engage two hundred of them to help to work at the Fort, and I will employ two hundred English to work at it allso, and I propose to give to your young men the same reward that the English shall have, and I am in hopes the Fort will be done in three months at most. 'Tis for your interest and security alone that I propose the building the Fort; therefore it behoves you to give your helping hand thereunto. I must tell you that when this Fort is built and furnished with gunns and ammunition as I intend it, you will have no reason to bee afraid of the garrison of Cadarachqui or any other enemy that shall attacque you on that side.

3 You your selves have already own'd to me that you like the Protestant religion better then the Popish; you have likewise declared your aversion and dislike to the Jesuits way and method of making converts by artifice and fraud; you will alwayes bee troubled by them, and they will bee endeavouring to allure you, and if they faile therein, they are wicked enough to destroy you by poy[s]on. Therefore your best way to be ridd of them and all their contrivances is to make prisoners of them as often as they come into your country, and bring

That they seize on all Jesuits & send them prisoners to Albany, where they shall have 100 pieces of Eight for every Jesuit.

them to mee, and for every such Popish priest and Jesuit which you shall bring to this town and deliver up to the Magistrates, you shall have one hundred peeces of Eight pay'd you down in ready money, as a reward. Wee have a law in this Province for the seizing and securing all Popish Priests and Jesuits and I would very gladly put that law in execution against those disturbers of mankind, and I hope you will take speciall care to comply with my desire herein if you will do an acceptable service to the King and will deserve the continuance of my friendship.

ROBERT LIVINGSTON Sêcry:
for the Indian Affaires.

Albany 30th of August 1700.

PRESENT,—the three Gênt. aforesaid.

The same elleven Sachems that were conveen'd yesterday at the private Conference, to witt, two of each Nation and one of the Protestant Maquase Indians waited upon His Excellency the Earl of Bellomont this morning and brought one more from each Nation with them, alleadging all businesse of moment was to be transacted by the Three Ensigns that the Five Nations consisted of, to witt, the Bear, the Wolf, and the Turtle; and therefore one from each of these tribes or ensigns in each Nation was to be present.

Sadeganaktie Speaker.—

Indians answer.

Brother Corlaer.

Wee are now come to answer to those heads your Lordship proposed to us yesterday, which are of great moment and consequence, and that concerning the bringing the Jesuits prisoners hither that do come to our Country is none of the least. You advise us to make peace with the remote Indians and to draw our own Indians back from Canada, and at the same

time to bring the Jesuits that come to our country, prisoners hither. These three heads do not well consist and agree together; therefore wee are of opinion it will be more adviceable first to conclude a firm peace with the Dowaganhaes and other remote Indians and then see to draw back our Indians from Canada that are debauch'd thither, before wee meddle with or disturb the Jesuits; for there are severall of these remote Indians viz^t. Stiagigroone,[1] Assisagigroone,[2] Odsidanawe, and severall other Nations to the number of Sixteen, that have already agreed to come and live among us, and if they do hear that wee commit any rudeness to the French Jesuits, that will put a stop not only to the said treaty, but exasperate our people that are at Canada, and obstruct their coming over to us. Therefore our conclusion is, first to wait the said farr or remote Indians their coming, before wee put that in execution which your Lordship proposes about the Jesuits; but if any Jesuit or Popish Priest do come into our country before the treaty with the remote Indians be concluded, wee will send them back and forbid them to come into our Castles; and what wee have promised your Lordship concerning our adherence to the Protestant religion, wee stand to it and will ever abide to those principles.

That should they seiz on the Jesuits, it might hinder their treaty with the Dowaganhaes &c and keep their Indians from returning.

But they will forbid them coming into their Countr$_y$.

As to that head relating to our children's being instructed to read and write English and Indian at New York, the Sachems that are now on the hill are consulting about it, and wee will when wee are all conveen'd together, return your Lordship our answer as allso concerning the guides or guard for Col. Romer the King's Ingineer to Onnondage and concerning the number of men that are to assist us at the making of the Fort there, and also concerning what Sachems are to go to pitch upon the place, where the Fort is to be erected in the Onnondage country: all which is referred to those Sachems that are now upon the Hill to report to your Lordship.

The Sachems are consulting on the other proposals.

His Lordship ask'd whether these Sachems that were now conveen'd would give his Lordship an account of the message Mons^r Marricour and Bruyas the Jesuit and the rest of the French, brought from Canada to Onnondage this summer, or if they would give it when all the Sachems were conveen'd.

His Lordp desired to know the French message this last summer

The Sachems replyed when all the Sachems were together they would give his Lordship an account of it.

which they promis'd in a full conference.

His Lordship told them further that he design'd the Fort to bee built at Onnondage should be so big as to receive two hundred men, in which there should bee alwayes a hundred English, and ask'd the said Sachems if a war should break out, whether they would send one hundred men of theirs to assist the keeping of said Fort; since it would not be like their forts, but a fort with canon, built strong for defence.

The Onnondage Fort to receive 200 men, of which my Lord desired in case of war, 100 might be Indians.

The Sachems answered that when all the Sachems were conveen'd together they would answer this point.

To which they promised an answer.

A Little while after Sadeganaktie the Speaker rose up and sayd:—

As to what you proposed just now of sending in a hundred men to defend the Fort upon a warr with the French, wee desired to bee excused from giving any positive answer to that, because it is the young men must do the service, and they must be consulted about it.

when they had consulted the young men.

[1] Or Estiaghicks, which, according to Colden, was the Iroquois name for the Sauteurs, or Indians around the Falls of St. Mary; *Roone*, meaning, simply, "men," being a termination used by the Iroquois to designate Indians of the Algonkin family. — Ed.

[2] Achsisaghecks, or Missisagues. *Colden.*

My Lord reply'd he thought the Sachems had commanded without controul.

My Lord reply'd that he thought the Sachems had the sole command of their young men without any controule.

Upon which the Speaker say'd:—

To which they waved giving an answer.

Wee have often proposed something to you and you have told us you would write to the King our Great Master about it, which gave us satisfaction and wee never importun'd you any more about it; and therefore pray bee satisfyed with what wee have now answered.

A message being come from the other Sachems.

After a while a Message being come from the Hill from the other Sachems of the Five Nations, and the Speaker sayd as follows:—

They agreed to send 12 men from each Nation to work at the Fort.

It is concluded by all the Sachems of the Five Nations that each Nation do send twelf men to assist at the making of the Fort in the Onnondage country.

But said they were not masters of their children, who are wholly at their wives disposall till they come of age.

As to our children to be sent to New York to bee instructed to read and write, wee answer that wee are not masters or disposers of them; that is a matter that relates to our wives, who are the sole disposers of their children while they are under age.

ROBERT LIVINGSTON Sêcry:
for the Indian Affaires.

The Sixth's day's conference. Albany 31st of August 1700.

Sixth Conference.

PRESENT—All the Gentn as at the first day's conference

My Lord desired four young men to be guides to Coll. Romer.

His Excellency the Earl of Bellomont sent for the Speaker and the rest of the Sachems of the Onnondage Nation and propos'd to them to name four of their sober young men to goe along with the King's Ingeneer to Onnondage their country to be his guide and guard, and that his Lordship would dispatch him away on monday morning.

The Sachems imêdiately sent out one of their number to look out four brisk young men for that purpose and came in and acquainted his Lordship that the following men would conduct Col. Romer the Ingeneer to their country; and presented Soriquasko, Adiechne, Tachnigoris and Neganiquaande, before his Lordship.

who were soon brought in.

His Lordship ask'd the said Sachems whether they would name the Sachems that are to goe with the Ingeneer to look out a convenient place for building the Fort, here or in their country of Onnondages

and the Sachems agreed to be named in the Onnondage Country.

The Sachems answer'd his Lordship that they could be better named in Onnondage where there was a great many.

where they promised all assistance and dispatch.

My Lord desir'd them to make all the dispatch, and not delay the Ingeneer when he was there.

The Sachems promise his Lordship to give him all the assistance and dispatch imaginable.

The Earl of Bellomont proposed likewise to the Sachems of Onnondage the furnishing of the English while they are building the Fort, and the garrison when the Fort is built, with provisions of Indian Corn, venison, pigeons and fish, of which the Country abounds, and they should bee satisfied for the same.

and provision for the men who should work at the Fort, and after keep the garrison there.

Whereupon the Sachems made answer that the English should want for no provisions, neither while they were building the Fort nor afterwards when the Fort is built, for the garrison that should be plac'd there, and that at reasonable rates.

ROBERT LIVINGSTON Sêcry:
for the Indian Affaires.

The Sixths day's Conference Albany the 31st of August 1700

PRESENT—as before.

His Excellency Richard Earl of Bellomont's Proposalls to the Sachems of the Maquase, Oneydes, Onnondages, Cajouges, and Sinnekes.

The Earl of Bellomont

Brethren.—

I understand some of the French that are among the remote Nations of Indians would willingly come and trade with us in this Town, but that they are apprehensive you will not

Desires free passage for the French to come and trade with the English.

give them free passage thro' your country; but I hope you will encouradge their coming hither, for now in time of peace it is but reasonable they should have the liberty of trading with us. There is a vast difference between Frenchmen that come among us purely on the account of trade, and the Popish Priests and Jesuits that come to deceive and delude you with their false doctrines & principles.

and to know what message was sent them last year from Canada.

I would be very glad to know upon what errand or message it was that Mr Marricour and Monsr Bruyas the Jesuit and the rest of the French came to you lately at the Onnondages Castle. If you intend to keep a fair correspondence with mee as you have promised, you must be ingenuous in letting mee know what propositions they made to you then. Therefore I expect you will recollect and tell me every thing that the say'd to you.

He reminds them of their duty to the King of England.

And now to conclude all, I must remind you of the professions you have made of duty to the King our Great Master, and of zeal to be instructed in the Protestant religion; to both which I advise your steddy adherence.

Assures them he will fortify the country & regulate the trade.

I doubt not but the King will give speedy orders for the fortifying the fronteer of this Province in such manner as that you and the rest of his subjects will be secured from the attempts of an ennemy and, as I have already promis'd you, I will endeavour to make this town of Albany the place for the Bever trade, which I hope to put under a better regulation then it is at present.

And conjures them to reject all the French offers.

And now Brethren let me conjure you to perform all the promises you have made of an inviolable fidelity and obedience to the King our Master and to continue in a steddy affection and friendship with us your Brethren and fellow subjects. You cannot give the King a surer testimony of your loyalty to him then by rejecting all manner of correspondence with the Popish priests and Jesuits and by utterly refusing to suffer them to come into your country upon any pretence whatsoever. Upon those termes I doe take upon mee to assure you of the King's fatherly care and protection, and in token of his Majesties

He gives the King's present. grace and favour to you, I have provided a present which I give you in his Majesties name. viz^{t}

200 Fusees	200 Knives
200 Baggs of powder of 6^{lb} a peece	200 Shirts
2000. lb lead	40 Keggs of Rum of 2 Gal^{s} Rum
2000 Flints	63 Hats
100 Hatchets	3 Barrels of Pipes with Tobacco.

This is besides 2 p^{s} of Duffells and some gunns shirts and hatts given to the Sachems when they went home.

ROBERT LIVINGSTON Sêcry
for the Indian Affaires.

Albany 31st of August 1700.

Post Meridiem.

PRESENT—Col. Abraham De Peyster, Col. William Romer Ingeneer, Robert Walters, Capt^{n} Samuel Veitch, Duncan Campbell.

The Sachems of the Five Nations, the Maquase Oneydes Onnondages, Cajouges and Sinnekes came to His Excellency the Earl of Bellomont and made the following answer to his Lordshipps Propositions made to them in the forenoon.

Sadekanaktie Speaker:—

Indians Answer Brother Corlaer

The promise to continue stedfast in their subjection. You have reminded us to cleave firm to our resolution to be instructed in the Protestant Religion and allso that we shall be firm to the Covenant Chain and dutifull subjects to the Great King of England; all which wee do faithfully promise to perform, and wee do likewise recommend our Brethren the English to be stedfast in their religion.

And desire the English will keep up their friendship. God Almighty hath been pleased to create us, and the Sunn hath shined long upon us, and wee have lived many years in peace and union together, and wee hope by your instruction to be taught to bee good Christians, and dye in the Christian faith; let us therefore goe hand in hand and support one another. Wee were here before you and were a strong and numerous people when you were but small and young like striplings, yet wee were kind and cherished you, and therefore when wee propose any thing to you, if you cannot agree to it, let us take councill together that matters may be carry'd on smooth, and that what wee may say may not be taken amiss, and when wee are to be instructed in the Protestant Religion, pray let not such severities be used as the Jesuits do in Canada, who whip their Proselytes with an yron chain, cut the women's hair of, put the men in prison, and when the men commit any filthy sin, the Priest takes his oportunity and beats them when they are asleep. Now as a token wee accept of being instructed in the Protestant Religion, Wee give 9 Bever Skins.

And not use their Proselites so severely as those at Canada.

In token of which the give 9 Bever skins.

And 9 more in token of liberty for the French to come & trade at Albany. As to the French that come from the remote Indians to trade, they shall have all the encouragement from us imaginable, and liberty to come thro' our country to bring their trade to this City: in token whereof wee give 9 Bevers.

They desire the bounds with the French may be settled.

Wee desire that our Brother Corlaer the Earl of Bellomont would write to the Great King of England, that the limitts and bounds may be establish'd between Us and the French of Canada to prevent all disputes and controversies, that each may know their bounds when wee are upon our own land and when wee are upon the French King's land. Wee give 9 Bevers.

That good may be sold cheap.

Wee pray that there may be a good regulation of the trade and goods sold cheap, that the remote Indians may see what pennyworths there is here; which will be a means to draw them hither. Wee give 9 Beavers.

Promise to live well with the Dowaganhaes

Wee are recommended to make peace and keep a good correspondence with the Dowaganhaes and other remote Indians; wee will use our endeavour to do the same and follow your advice; and as a token thereof wee give 9 Bevers.

And desire a Smith at Onnondage.

Wee desire that a Smith may come and live at Onnondage when the Ministers come; wee have not heard anything of that; pray let not this be forgotten. Wee give 9 Bevers.

The agree to fix the trade at Albany.

Your Lordship proposed that the Indian trade may bee confin'd to this City of Albany; wee like it very well, it has alwayes been so from the beginning that Christians came here, for when your people come to our country wee must pay a Bever skin for a few spoons full of rum, and a Bever for a pair of childrens stockings: we hope your Lordship will for the future forbidd peoples coming to trade in our country, and that will be a meanes to cause all the trade to be brought hither. Wee give 9 Bevers.

And desire the English may be forbid to go up into their country a trading.

They will keep a good Correspondence with the English.

You allso told us to keep a good correspondence with the English our Brethren, which wee will gladly doe with all our hearts. Wee give 9 Bevers.

Wee are thankfull to you for your present and particularly for the Powder you have given us; but where shall wee put it to preserve it from the weather when wee carry it home (meaning that they had no duffells given them, for cloathing, among the presents) wherein they could wrap the Powder to keep it from the wet. Wee give 9 Bevers.

Many of our Indians killed by the perfidiousness of the French: and recommend Coll Schuyler &c to his Lordship's favour.

This Spring many of our people were killed when they were a hunting, by the perfidiousnesse of the French, which has much impoverish'd and weaken'd us. Your Lordship sent us three Gentl. Col. Peter Schuyler, M^{r} Livingston and M^{r} Hansen to our country, which message was extream acceptable. Wee doe therefore recomend them to your Lordships favour to be consider'd for their paines; wee would gladly contribute towards it, were wee in a condition, but hope your Lordship will consider our poverty.

My Lord told them they were pay'd

My Lord told them they were pay'd, and that the King alwayes rewarded those that did him service.

They desire to have the benefit of the peace concluded in Europe

The Speaker went on and say'd. The Rondax or French Indians of Canada have killed a great many of our people since the peace, and the Dowaganhaes continue still to destroy our people: we desire that your Lordship would write to our great King of England, that some order may be taken to put a stop to such hostilityes that wee may have the benefit of the peace concluded between the two Kings in Europe. Wee give 9 Bevers.

And acquaint him with the Jesuit's proposals.

Wee shall now according to your Lordship's order acquaint you with what the Jesuit Bruyas hath say'd to the Sachems of the Five Nations at Onnondage this Summer, viz^{t}

1. That he was glad to see them, and that some of them were to Canada notwithstanding Corlaer's strict prohibition and that he was sorry for the loss of their people that were killed by the remote Indians, condol'd their loss and wip'd of the blood, and gave a Belt of Wampum.

The Jesuit said he was sorry for their losses; but

2 That the ketle of warr that hnd boyl'd so long, which would have scalded and consum'd all the Five Nations was now overset and turn'd upside down and a firm peace made.

Now a peace was made;

3 He planted the Tree of Peace and wellfare at Onnondage

by his endeavour.

4. He recômended us to keep fast to the Covenant Chain which wee had with Corlaer your Excellency Govern^{r} of New York, and told us, you are one heart, one head and interest with us; but why is he against your corresponding with us; why does he obstruct our conversation together? I do not bidd you to break the Covenant Chain with him, for since wee are in peace wee ought to bee in friendship together.

He recômends them to keep the Peace with my Lord, but wonders why they should be forbid corresponding with the French.

5. He demanded the French prisoners of us that were in our Castle, and told us, the Sachems of the Five Nations, that they would restore to us our Prisoners that were at Canada, the Dowaganhaës and other remote Indians; and gave a Belt of Wampum.

Demands the French prisoners & promises a restitution of those at Canada.

6. He proposed to come and live at Onnondage and instruct us in the Christian Faith, and would banish all sickness plagues and distempers out of our country if wee would accept of him: and gave us a Belt.

Proposes to come and live at Onnondage & be their Physician or Surgeon.

But this Belt was not accepted by us, for wee told him that wee had accepted a Belt from Corlaer sent us this Spring by Col. Schuyler, M^{r} Livingston and M^{r} Hansen, to be instructed by such Ministers as he would send, which Belt, being given first, had the preference; and Dekanissore, one of our Sachems, told him further that wee had once been deceived by the Jesuit and his doctrine; for when wee were entred and learning the Christian Religion, the French came and knock'd us in the head.

Which they refused him.

7 That the Jesuit had a Belt of Wampum from the Rondax Indians to release two of their Indians that were prisoners at Onnondage, and carryed one of them to Canada.

They added further that the Jesuit Bruyas said when he see his Belt was rejected, whereby he proposed to come and live at Onnondage and instruct them in his religion, that if he had known that Corlaer the Gov^{r} of New York had sent a Belt for that purpose that Ministers should come there to instruct them, he would not have propos'd it to them.

Bruyas said he would not have proposed this to them if he had known my Lord Bellomont had promised them Ministers.

They were ask'd what there Sachems were a doing at Canada, to witt, four that were gone thither, viz^{t} one from each nation

The four Sachems at Canada.

They answer'd that they were gone to bring back their prisoners; they had seaventeen Sinneke prisoners among the remote Indians that were expected to come to Mont Reall and they staid to bring them home.

Were gone to recover their prisoners.

Wee have stayd two yeares to see if you could get back our prisoners, but not being done, we were necessitated to do it our selves.

Which our people had not been able to do in two years.

They further [stated] that Bruyas the Jesuit say'd it is as if Corlaer the Gov^{r} of New York would have warr again by hindring you to come and correspond and trade with us.

Bruyas said it look'd as if my Lord desired war again.

That he kept the Five Nations in ignorance of what was doing & claimed a superiority over them which the French did not.

Father Bruyas say'd further, what, does not Corlaer acquaint you with what passes between the Gov^{r} of Canada and him? It seems he keeps you all in the dark; our Govern^{r} conceals nothing from his Indian Children as Corlaer does from you.

He said further that the Gov^{r} of Canada did not claim a right to their land as Corlaer did, he left them to their liberty; but Corlaer pretended a superiority over them.

ROBERT LIVINGSTON Sêcry
for the Indian Affaires

Albany the 31st of August 1700.

While the Sachems of the Five Nations were making their proposals to the Earl af Bellomont:—

The Maquase Indians thank my Lord for vacating the grants of Dellius &c.

Henry, one of the Maquase Protestant Indians stood up and say'd: Wee complayn'd to your Lordship two yeares ago in the name of the Five Nations that our land was taken from us by Col. Peter Schuyler, Capt Evert Banker, Maj^{r} Dirk Wessells and one William Pinhorne at New York and M^{r} Dellius the late Minister of Albany; whereupon your Lordship promis'd you would write about it home to the King, and wee have accordingly found the good effects of it and have our land again. M^{r} Hend^{k} Hansen came last year to our country and told us from your Lordship that the patent that those five persons had obtain'd for our land, was vacated and broke, and that wee should keep possess and enjoy our land for us and our heires for ever, if there were but two of us alive wee should not bee turn'd out, nether would it bee taken from us, and wee were told to acquaint all the rest of the Five Nations herewith; which wee accordingly did and for an acknowledgement of our gratitude to your Lord^{p}: wee give 9 Bevers.

and desire his Majesty's protection.

Wee do again thank your Lordship in behalf of the Five Nations for your fatherly care in restoring our land to us again, and wee doe pray that the Great King of England may protect us from any hazard that may befall us. Wee give 9 Bevers

ROBERT LIVINGSTON Sêcry.
for the Indian Affaires.

Proposalls made by the River Indians to the Right Hon^{ble} Richard Earl of Bellomont Capt^{n} Gen^{ll} and Govern^{r} in Chief of His Majesties Province of New York &^{c} the 31st of August 1700.

PRESENT—as at the First dayes conference.

Soquans Speaker said;—

Father.

The River Indians are glad to see My Lord and his Lady.

Wee are glad to see you and your Lady here; 'tis now about two yeares ago since wee first see you. The sunn of peace shin'd then and so it does still. Wee give a Beaver and an Otter to wellcome our Father and Mother to this place.

2. In the times of old there were not any Christians on this river and the first Christians that came settl'd upon Renselaer's ys land whom wee lov'd as soon as wee see them, and

received them as Brethren, with whom wee made a strict allyance and a Covenant Chain which has been kept alwayes inviolable ever since, and this chain wee are now come to renew, and wee are resolv'd to live and dye here in this government, and do pray that our Father will support and protect us. Wee give 3 Bevers.

And resolve to continue under his government.

Father.

3 It is now six and twenty yeares ago since wee were allmost dead when wee left New England and were first received into this government; then it was that a Tree was planted at Schakkook whose branches is spread that there is a comfortable shade under the leaves of it: wee are unanimously resolved to live & dye under the shadow of that Tree and pray our Father to nourish and have a favourable aspect towards that Tree, for you need not apprehend that tho' any of our people goe out a hunting they will look out for another Country, since they like that place call'd Schakkook so well; therefore wee begg your Lord^{ps} protection in this government.

It is Six & twenty years since they left New England, and are resolved to live & dye at Schakhook

4 Wee are glad to see you and our Mother also, your Lady, in health; your Lordship is so belov'd of us all, and your treatment to all Indians is so ravishing and agreeable, that the farr Eastern Indians are desireous to be link'd in our Covenant Chain as well as the Five Nations. Wee cannot express our gratitude sufficiently for your care and protection over us, but as a token thereof we give 3 Bevers.

The Easter Indians desire to come into the Covenant with my Lord.

Father.

5 Do not think that we have any other Father but your Lordship, or that wee incline to settle any where but a Schakkook, that place being allotted for us there wee intend to live and dye, and therefore you are not to have the least jealousie of our young Indians, for they may go out a hunting, but will alwayes return to their habitacôn at Schakkook under your Lordships protection. Wee give 3 Bevers.

Tho' their young Indians go out on hunting they will always return.

Father.

6. It is above two yeares agoe since your Lordship was here, when you were pleased to agree to a generall exchange of Prisoners that were taken this last warr; pray let us not be forgotten; wee brought two prisoners from the French Indians which wee desire may be set at liberty; the one is a girle in the possession of Col. Ingoldesby's wife, and the other is a boy in the possession of the widdow of David Schuyler deceased: Wee desire the said two prisoners may be sent back. Wee do give 3 Bevers.

They desire 2 Prisoners they brought from the French Indians may be set at liberty.

Robert Livingston Sêcry
for y^{e} Indian Affaires.

His Excellency the Earl of Bellomont's answer to the River Indians, Albany the 31st of August 1700.

E. of Bellomont's answer.

Children.

I thank you for your kind expressions, in which you have delivered your selves by Sucquans your Sachem. I hope I shall alwayes behave my self to you and the rest of the King's Indian subjects so as that you will have reason to believe that the English lawes and government are the best in the world, and you may be sure I will do every thing to maintain the Covenant Chain firm and stedfast. I am glad you are so near as

He thanks them for their kindness.

And desires they would invite the Eastern Indians to come and live with them.

Schakkook and should be very glad you would invite your friends the Pennekoke and Eastern Indians to come and settle with you there; where I do promise you and them the King's protection and favour, and you shall find I will be a friend to you upon all occasions, so long as you continue to behave yourselves in that dutyfull manner to the King as becomes faithfull subjects to so great and gracious a Prince. It would very much strengthen the Covenant Chain, if wee could make that union between the Pennekooks and Eastern Indians and your selves, and since the Five Nations and you are linked together in interest, it would be an advantage to engage those other Indians in the same interest.

He wishes they would become Protestants as the Five Nations design to be.

What you have say'd to mee I take kindly, but I am sorry you have not the same good disposition that the Five Nations have express'd of becoming Protestants and being instructed in the true Christian Faith; which would be infinitely more pleasing to mee than all the complements you can possibly use to me; if you intend to convince mee of your affection and duty to the King, you must resolve to renounce all sort of correspondence with Canada and neither be instructed by the Jesuits or other Popish Missionaries in their religion, nor carry on any trade with the French of Canada or their Indians; and when ever I hear that you go to Canada upon the account of trade, you must never reckon upon mee as your loving Father nor shall I esteem you my dutifull Children.

And reclaim a Sachem who is false to the King's interest, or else disown him.

I hear Hawappe one of your Sachems is false to the King's interest and makes it his businesse to debauch as many of your nation to the French of Canada, as he can. I expect you will disown him and break friendship with him, unless you can reclaim him from so ill a custome.

He will do what is reasonable about their prisoners

As to what you propose concerning the two prisoners, I will take a time to examine the matter and will do what is reasonable therein.

And given them the King's Present.

To conclude the King our great Master does by mee make you a present equall with the rest of his subjects of each of the five Nations viz[t]

40 Gunns 40 Bags of powder of 6lb. each 400lb. Lead 500 Flints 20 Hatchets 40 Knives 8 Kags of Rum 40 Shirts 20lb. Tobacco 1. Cask of Pipes 1 Dozen Hatts

ROBERT LIVINGSTON Sêcry.
for the Indian Affaires

Albany the 4[th] of September 1700

PRESENT — Col. Peter Schuyler, Col. Abrahan De Peyster, Robert Walters } Of the Hon[ble] Councill.

The Propositions made by some of the Five Nations to the Commissioners of the Indian Affaires, the third of July last, being read before the Earl of Bellomont, relating to a Belt sent by the Canada Praying Indians of Cachanuage to the Five Nations; and some discourse the Governo[r] of Canada had with said Indians; as by said Propositions, relation being thereunto had more at large appears, His Lordship thought fit to give the following answer to the Sachems of the Onnondages and Sinnekes, the rest being gone home: viz[t]

My Lords answer to some proposalls made by the Indians.

Brethren.

Upon your producing the Belt of Wampum sent to the Five Nations by the French Praying Indians of Cachanuage, and your owning to mee that the said Praying Indians desir'd I

might not know of their said message and Belt, I perceive plainly the message was only to amuse and deceive you, that under the pretence and shew of a friendly correspondence between the said Praying Indians and the Five Nations the Jesuits and other emissaries or creature of the Govern^{r} of Canada might have the better oportunity of seducing you from your obedience to the King our Master; and whereas you have cômunicated to mee the desire of those Praying Indians that their Belt may bee kept in the Onnondages Castle in token of the good correspondence they intended with the Five Nations I thank you for your sincere dealing and discovery thereof; and since you have been so just to mee to give mee up that Belt so sent you by the Praying Indians, I do in the room thereof deliver you a Belt which I desire may goe as a token of my friendship to the Five Nations and may be kept in the Onnondages Castle in liew of the other Belt.

He thanks them for delivering up the Belt which was given them by the Praying Indians.

And give them another in exchange.

Brethren.

You are to understand that the Belt I now give you is to be a pledge between us of mutuall friendship, and to be a caution to you not to hearken to any propositions whatsoever that comes from Canada without my consent first had thereunto.

Which is to be a pledge of their friendship.

The Sachems answered:—

That they were of opinion it would be requisite for them to send an answer to the Canada Praying Indians, since by that Belt they sent to them, they seem to insinuate the keeping firm the Peace made by the two Kings in Europe.

The Sachems propose an answer to be sent to the Praying Indians

To which His Lordship reply'd:—

That he thought their best way would be to answer the message of the Praying Indians, but then advis'd their said answer should appear after this manner, viz^{t} That they did desire the Peace between the two Crowns might be observ'd between those that sent the Belt and the Five Nations, but that they would never carry on any negociation with them or any other persons what soever without the privity and good liking of the Great King of England's Govern^{r} of New York, for that they are resolv'd to adhere firmly to their allegiance and fidelity to the Great King of England.

Which my Lord agrees to.

To this the said Sachems agreed and say'd the Interpreter should be present when they gave their answer to the Canada Indians, and His Lordship ordered the Interpreter Laurence to be present accordingly.

They promise the Interpreter should be present when they return their answer.

Robert Livingston Sêcry.
for the Indian Affaires.

David Schuyler, Esq., to the Earl of Bellomont.

[New-York Papers, N. O., N. 6.]

To His Excellency Richard Earle of Bellomont Cap^{t} Generall and Gov^{r} in Chief of his Ma$^{ty's}$ Provinces of New York Massachusetts Bay and New Hampshire and Vice Admirall of the same &^{c}

The Memoriall of David Schuyler Esq^{r} one of the Aldermen of the City of Albany.

Humbly Sheweth:—

That about the begining of this present month of August 1700 the said David Schuyler being at Canada at the house of one Mons^{r} Bondour a merchant living at Montreal he saw him discoursing with an old Jesuit and having a paper in his hand with a great many names, like a roll, he was inquisitive what it might be and how he came to be so great with the Priest. The said Bondour reply'd that the Priest had been that day at Kachanuage the Praying Indian Castle about four miles from Montreall and had there taken a list of the names of all the Praying Indians and was carrying the same to Mons^{r} de Calliere the Govern^{r} of Canada. The said Schuyler ask'd the number of them, because it was cômonly reported that the said Castle of Praying Indians (consisting of those Indians that had deserted the Five Nations) were about eighty fighting men in the time of the late war. The said Mons^{r} Bondour told him that the number of Praying Indians now in the Castle were three hundred & fifty, according to the list; upon which the said Schuyler told him he could not believe it. Well, said Bondour there is the son of Touyenijow whose father is lately come from your parts and is now one of our proselites, ask him and he will tell you the same. The said Schuyler ask'd the s^{d} young Indian, who told him they were now increased to three hundred and fifty fighting men, and bid him ask any of the Indians & they would say the same. The said Schuyler asked the said young Indian why he did not come to the Maquase country; who replyed that he had a great inclination to be a Christian and that detained him at Canada. Said Schuyler told him they would have Ministers in a short time in their own country and then he could be taught there. Whereupon Mons^{r} Bondour said, that was no praying that the Protestants used, they the French had the right way of praying. The said Schuyler told him, is that a good belief that if one Indian kills another, that the murderer shall go to the Priest and he shall absolve him, when God commands that he who sheds blood, his blood shall be shed. The Indian very much doubted if he could forgive that; but Mons^{r} Bondour told him he could, and for explanacôn told the Indian if your shirt is foul then you wash it and it is clean, so it is with any body that goes to Confession to the Priest.

The said David Schuyler said to the French gentle^{n} Mons^{r} Bondour he could not possibly believe there could be three hundred and fifty Praying Indians in the Castle called Kachnauage.

The Gentle^{n} told him, Do you think y^{t} strange, there will be above four hundred before winter, for they come like wolves round about the Castle and beg the Priests to take compassion on them and give them some light in the Christian Faith, and they dare not receive them till they have been out a hunting and given some demonstracôns of their fidelity; for all the Five Nations would come there speedily by reason of their ardent desire to turn Christians.

The said David Schuyler says further that Jean Rosie their interpreter told him that there were thirty of the principall Bush Lopers, Canadians born, had combined together to come to

Albany for passes to go to Ottowawa, for the Governor of Canada would give them no passes; but their design was discovered, and the head of them was sent prisoner to Quebec. Nevertheless the rest designed to make their escape as soon as Monsr de Calliere the Govr was gone to Quebec, who only staid at Montreal till Monsr Maricour and the Jesuit Bruyas came from Onnondage, for the people of Canada are reduced to great straits, there being a great scarcity of provisions there.

The said David Schuyler says further that he went to Canada this spring and that in the going thither the French Guards (sent out from Canada to prevent the transportacòn of Beavers from thence) mett him with a canoe within the bounds of this Government at the Otter Creek eighteen miles on this side of Rodgio the great Rock that is in Corlaers Lake, but they having no beavers and being stronger than the French had no contest or dispute wth them.

I humbly offer this to your Excellency to evince the ardent desire of the Indians of the Five Nations to be instructed in the Christian Faith; the want of Ministers to instruct them therein being the apparent cause of their every day going over more and more to the French, that it will be absolutely impossible to keep the said Indians firm and steady to the Covenant Chain without such ministers, that during the late war with France when the French of Canada had but few of our Indians, and we the whole Five Nations (who were as a Barrier and defence to the Inhabitants residing at Albany and the other frontier parts of his Majestys Provinces on the main Continent of America) yet continuall inroads were made by them into this Government in such manner & to such effect yt the Inhabitants on the frontiers were frequently killed & scalped, or deserted; wch plainly demonstrates that when the whole Five Nacòns, now our friends, are deserted and become our enemies, (as for want of Ministers they continually will) as war ensues, the whole strength of this governmt, the Barrier as aforesd will not be able to resist the French joyn'd wth ye said Indians, who may wth ease over run this Province & open the way thereby to Virginia & Maryland and all other his Matys Governts on this Continent.

(Signed) DAVID SCHUYLER.

Albany 17th Augst 1700.

Information furnished by Samuel York respecting the Western Indians.

[New-York Papers, N. O., N. 7.]

To his Excellency the Earle of Bellomont Capt. Generall and Governr in Chief of the Province of New York &c

The Memoriall of Samuell York[1] Carpenter

Sheweth.

That I was taken prisoner in Casco Bay in New England by a party of French and Indians under the command of Monsieur de Portneuf in the moneth of May 1690 and carried to Canada

[1] Willis, in his *History of Portland*, Maine, says: "There was also a family of Yorks here; Samuel, born 1678, and Benjamin, born 1680, were children, and living here on the destruction of the town, as appears by depositions given by them in 1759. John York was one of the trustees of North Yarmouth in 1684; and it is not improbable he was their ancestor. *Collections of the Maine Historical Society*, I., 215. — ED.

where and in the hunting Indian countries I have lived ever since till the 29th day of this last July that I made my escape to come hither, and during the last two years & half I was imployed in cutting masts for the use of the French King's Navy. There have been ninty great masts cut and sent from thence to France every year by order of the King, the Bay of S^{t} Paul which is 15 leagues below Quebec being the place principally where the s^{d} masts were cut and shipp'd. I have often heard that Mons^{r} de Calliere the Governor of Canada has pretended a right to the Five Nations of Indians otherwise called Iroquois, and I was once present in Councill when there was an embassy or message to the s^{d} Governor by some of those Indians, About a fortnight before my coming from Montreal, and then heard him tell the said messengers that the King his master had an undoubted right to the Sinek, Onondage and Oneide Nacons, and that he would have them, let it cost what it would. I have been about three years at severall times in the Ottowawas country a hunting with the French, in w^{ch} country they (the French) had two palisado'd Forts. There is excellent hunting there for beaver and all sorts of wild beasts as Deer Moose, &^{c} The Ottowawas are a very numerous people, their country very fine and pleasant affording great plains very fruitfull and well water'd. I have gone round a Lake in the Ottowawas country, called by the French Le Lac des Hurons which is 400 leagues in circumference upon the sides of which Lake live severall Nations, viz^{t} the Christinos, the Ochipoy, Kescacons, Towecenegos, the Hurons &^{c} I have been also round another Lake called the Meshigans, which is about 300 Leagues round, on the sides whereof live severall Nations viz^{t} Les Puants, Les Sachi, Puotwatemi Les Miami; and in those countries there is also good Beaver hunting and great store of wild cattle. I can speak the Ottowawa language and know the country very well, and can be a guide thither. Severall of the French Coureurs de Bois or hunters are there at this time and refuse to obey the Governor of Canada's orders to come to Canada, and are in a sort of rebellion; they are very desirous to come and trade here with the English, only fear the Five Nations will not suffer them to pass thro' their country. They have desired me to try to make their terms with your Lordship, and they will come and settle under your government some where near the Five Nations, and would indeavour to invite the Ottawawas to settle there with them. I have often heard the Ottawawas express a longing desire to trade with the English in these plantations. The French of Canada are not able to furnish those people with goods, w^{ch} they are sensible of and are therefore impatient of being confined to that narrow trade with them. The French have a few Jesuits among those nations, but they seem not to be fond of them. The present Governor of Canada is very severe and not at all beloved by the French or Indians. The people of Canada are all divided into factions and a generall discontent among 'em; and there has been a very great scarcity of all provisions especially of bread all last winter and this sùmer, insomuch as few of the better sort of people have tasted any bread during that time. Monsieur Bruyas the Jesuit and Monsieur de Maricour wth severall other French were gone (before my coming away) to visit the Five Nations, and took with them a good quantity of dry goods as blankets, stockings, &^{c} to present those Nations with, and were not return'd when I came away. The Companies are increased to thirty two, but are very defective; recruits were daily expected from France when I came away. There are abundance of reformade Officers at Quebec and Montreal. These are what particulars I can

at present recollect concerning the circumstances of the French in Canada and the Indians they correspond with; which is humbly submitted by

Your Lordp^s^ most obedient servant

Albany the 2^d^ of Sept^r^ 1700.

SAMUELL YORK his mark.

A true Copy

(signed) BELLOMONT.

Instructions to Colonel Romer on his Visit to the Five Nations.

[New-York Papers, N. O., N. S.]

Province of New York

By the Earl of Bellomont, Governor &^c^

Instructions to Côl. Romer his Ma^ty^s Chief Engineer in America.

1. You are to repaire with all convenient speede to the Onondages country where you are to find out the best and most convenient place for erecting a Fort for the defence and security of that Nation and the other Nations if it may so be, takeing in your way thither and visiting the Mohack and Oneyde Nations.

2. You are to proceed on to the Cayouges Nation after you have well view'd and visited the Onondages and from thence to the Synek Nation.

3. You are to observe the country exactly as you go and come, with the rivers lakes woods plains and hills, that you may make a report thereof to me, and that a Map may be made thereof to be laid before his Mâty. and you are to take a particular view of the two Carrying places and to report unto me your opinion how much they may be shortned by clearing and cleansing the creeks from woods, so as to make those creeks navigable for boates & canoes.

4. You are to inquire out and view a Salt spring which is said to be in the Onondages Country and to taste the water and give me your opinion thereof, and you are to inform your selfe about the salmon fishing which is so much spoken of, and also about other fish in the Lakes and rivers in that country what sorts of fish and what plenty, and what ways the Inhabitants have to take fish.

5. You are to go and view a well or spring which is eight miles beyond the Sineks furthest Castle, which they have told me blazes up in a flame when a light coale or firebrand is put into it; you will do well to taste the said water, and give me your opinion thereof and bring with you some of it

6 You are to incourage all the Indians Nations as much as you can, by assuring them of the King's care of them and protection, and you are to magnifie the King's greatnesse and power to them, and assure them that the frontier of this Province will be well fortified and secured in a short time, so as that they need not to fear the French of Canada. You will do well to

assure them of my kindnesse, provided they continue faithfull to the King and keep no sort of correspondence with the French of Canada, nor receive any of their priests and Jesuits among them. All which Instructions of mine you are carefully to observe and perform for his Mâtys service. Given under my hand, At Albany the third day of September 1700 and in the twelfth year of his Mâty's reign.

(signed) BELLOMONT.

A true Copy

(signed) BELLOMONT.

Instructions to the Commissioners for Indian Affairs.

[New-York Papers, N. O., N. 13.]

By the Earl of Bellomont, Governor &c

Part of the Instructions to Col. Peter Schuyler &c

4. You are upon all emergencies that shall happen, to give me notice thereof to New York, or in my absence from this Province to the L^t^ Governor & Councill, sending at the same time your opinion and advice what you think most proper to be done for the remedying all mischiefes that shall any way be put in practice against his Ma^ty^ and his people within this his Province or against the Indians, subjects of his Ma^ty^.

5. Upon any message from all or any of the Five Nations of Indians or from the nacôn of Schakkook or River Indians, M^r^ Livingston aforesaid as being his Ma^tys^ Secretary for the Indian affaires in this Province is immediately upon the arrivall of the Indian messenger or messengers, to summon and convene all the above Com^rs^ or as many of them as shall then be in town and then being so convened shall consult upon the subject of the message from the Indians; he to make a minute (in a fair bound book to be kept for that purpose) of the result and opinion of the said Com^rs^ upon all such messages; every minute to be signed by the Comm^rs^ then present and by him the said M^r^ Livingston as Secretary.

6. And for avoiding and preventing all superfluous charge for or by reason of any message from the said Indians, the s^d^ Com^rs^ are hereby directed to signifie to all the said Nacôns that they send hither no more than three Indians at most on any message whatsoever, and the messenger or messengers so sent are allowed to stay here at the King's charge no longer than three dayes at most, to rest and refresh themselves, and to be allowed three shillings p^r^ day each messenger and no more for his or their support during the said three days and proportionably for a less time if he or they shall return home sooner; which said three shillings p^r^ day is to be paid to the said messenger or messengers in ready money, and that by M^r^ Livingston aforesaid; who is hereby directed to make punctuall payment accordingly from time to time, out of that part of his Ma^tys^ revenue of Excise w^ch^ is under his the said M^r^ Livingston's collection. And I do absolutely forbid that any provisions or money be given to any Indian or Indians at the King's charge from the day of the date hereof otherwise than is before expressed. whereof M^r^ Livingston is to take notice and to conform himselfe to this

my order accordingly. And my former instructions to the Commissioners for managem[t] of the Indian affaires, bearing date the first day of Aug[st] 1698 are hereby revoked. Given under my hand and seal at Armes, At Albany the third day of Sept[r] 1700. and in the twelfth year of his Ma[ty's] Reign.

A true Copy

(signed) BELLOMONT.

Address of the Citizens of Albany to the Earl of Bellomont.

[New-York Papers, N. O., N. 14.]

To His Excellency Richard Earl of Bellomont Cap[t] Gen[ll] and Governour in Chiefe of his Majesties Provinces of New Yorke, Massachusetts Bay & New Hampshire and territories depending thereon in America, and Vice Admirall of the same, His Majesties Lieutenant and Commander in Chiefe of the Militia and of all the Forces by Sea and Land within y[e] Collonies of Connecticutt, East and West Jersey &[c] and of all the Forts and places of strength within y[e] same &[c]

The humble address of the Principall Inhabitants of y[e] Citty and County of Albany.

May itt please Your Lordship.—

Wee have again the hapiness of seeing your Lordship in this place and cannot but thankfully congratulate your Excellencies great kindness in visiting the frontiers, the which, with the greatest concern imaginable wee acquaint your Lordship, are in a most deplorable and languishing condition. The Citty and County of Albany has laboured under y[e] greatest of hardships during the late long warr w[th] the French, when they were exposed to inexpressible dangers, being barbarously murdered, scalp'd & carried captives by the French and their merciless Indians, which terrified many of the inhabitants, forced them to desert their habitations and to remove to other parts of the province, being[1] the Frontiers not soe well secured as to defend them from y[e] inroads of y[e] French and their sculking parties of Indians; but were in hopes that since his Majesty had soe gloriously obtained a peace for all Europe by his valour and conduct, that wee who had soe large a share of the miseries attending a bloody warr, would also participate in the blessings of a joyfull peace; but to our great grief wee finde our trade more decayed then formerly by reason of the French and their missionaries dayly deluding & debauching of our Indians of y[e] Five Nations from us, sometimes causing them to be kill'd by the farr Indians, and att other times seducing them to come and live att Canada to be instructed in the Christian faith, & where these two prevaile not, they raise factions in their Castles and take of by poyson those that cannot be soe seduced and deluded; by which artifices they have increased the Castle of Praying Indians att Mont-reall which consisted of fourscore fighting men (Indians that had deserted the Five Nations) before the last warr, but now are since the conclusion of the peace, by the means aforesaid, increased to

[1] "Seeing." MS. in *Albany City Records*, 1695–1705.

above three hundred and fifty and dayly grow more and more, soe that if a warr should breake out between his Majesty and the French King, they would totally over run those frontiers, and thereby facilitate their passage to destroy Virginia Maryland and the rest of His Majesties Plantations; their method of fighting being in sculking parties (as your Lordship is sufficiently informed) soe that therewith they may easily infest this whole Continent, the Plantations & houses generally lying stragling, and more particularly in Virginia and Maryland, in such manner that itt will be wholly impossible for the inhabitants thereof to manure and cultivate their land. This will be no hard matter for them to doe, considering how well y^e^ French have fortified themselves ever since the peace, with more vigour & diligence then in any time of the warr, having continually had supply's of men and money from France to do the same and what number of Indians they dayly draw from us: when on the other hand our fortifications are quite gone to decay, our soldiers dayly deserting, being dispirited, having neither cloths nor pay nor any care take[n] to defray their subsistance, soe that the victuallers are wholly discouraged, having contracted considerable debts on account thereof and are now threatned to be prosecuted for the same; by which means many of our inhabitants are great sufferers and the people in generall being soe much impoverished by the late warr that they cannot assist in fortifying as they often did before when they were in a thriving condition. All which wee humbly presume again to represent to your Lordship, praying your Excellency to lay our deplorable condition att his Majesties feet and become a supplicant on our behalfe that his Majesty will be pleased to cause a stone Forte to be built here att Albany sufficient not only to receive the inhabitants in the time of invasion but may be a retreat for our Indians if they should be driven from their Castles which the French have often done the late Warr. That the same may be done before the fortification be erected att Onnondage for the security of the Five Nations of Indians, which being soe remote from any inhabited parte of this Province, will as wee humbly presume be so expensive and chargeable in the erecting that the money raised for the doing thereof will not near performe the same, and when erected, if better care be not taken to maintain and subsist the same then has been of the garrisons in this Province during the late warr, wee fear, if a breach happen, will fall into the hands of the French, which will then be an inevitable means of our loosing of the Five Nations. Wee also intreat your Lordship to interceed with his Majesty that there may be recruits of men sent over and duely subsisted cloathed and paid, which might not only defend these frontiers in time of warr, but offend the enemy. Wee doe likewise humbly request your Lordship to informe his Majesty the absolute necessity of having good Protestant Ministers here to instruct the Indians in the Christian Faith, else wee shall be deprived of all the Five Nations, which was the principall barrier that had hitherto secured these parts, who will goe all over to the French, whereby wee doe not only loose the benefitt of our trade and soe many warlike Indians to assist us upon occasion, but beget soe many enemies in their room.

Lastly, Wee humbly pray that your Lordship would be pleased to take some effectuall care either by law or otherwise to secure the Indian trade to this Citty, which was the ground and foundation of the inhabitants settling here att first, and which hath allwayes been very advantageous to his Majesties revenue, but now of late wholy gone to decay, and the small trade that comes is snatch't away by the inhabitants of Schenectady and others in the county, who not only sell all sorts of goods, but rum and other strong liquors to the Indians without

paying any excise for y^e^ same, to the apparent diminution and impoverishment of his Maj^tie^ revenue of this province.

Wherefore in the deep sence of the great advantages this Citty has received from your Excellency and particularly expressed by your Lordship in your answer to the Address of the Mayor and Magistrates of this Citty when your Lordship was last att Albany, presume to prostrate our selves to your Excellency, humbly imploring your Lordship favourably to represent the present circumstances of this Citty as above expressed, unto his most sacred Majesty that this place, the barrier and defence of Virginia, Maryland, and all other his Majesties governments on y^e^ maine Continent of America, may not be totally abandoned, as the inhabitants of this Citty, if not secured with sufficient Forts and men to defend them from the enemy, are unanimously resolved on, immediately on a Declaration of Warr; which will be of most pernicious consequence to his Majesties interest in this parte of America. Albany Aug^t^ 24^th^ 1700.

Harmanus Wendell.	Direck Wessells Justice of Peace.
Frederick Hannysse.	Johannes Abeel
Côrn. Bogardus.	Robert Sandersse
Joseph ⋈ Janse.	Johannes Cuyler
Koenraet Ten Eyck.	Abraham Schuyler
John ⋈ Kidne	Myndert Schuyler
Ahasuerus ○ Marselis	Johannes Harmenson
Maes Cornelis	Direck Mingel.
Jacobus Schuyler	Stephanus Grosbak
B. Corlaire	Warnaer Karstensen
Johannes Beckman	W^m^ H Hogin
Livinus LW. Winne	Johannes de Wandalaer
Hendrick Douw	Ardian Quakenbos
Andries Janse.	Cornelis Von Schelluyns
Jan F fyn	Abraham Kip
Anthony Bries.	Direck Vanderheyden
Johannes Groenendyck	Phillip Schuyler
William Vanalen	Anthony Van Schaick
Hendrick Hansinch	Isaac Ver Planck
Jacob Bogaert	Gerrett Rooseboom
Tòmas Harmensen	Gerrett Saycar.
John Car	Paulus Merrey.
Thomas Milinton	H. V. Dyck
Johannes Luykassen	Jean * Rosie
John Gilbert	Antho. Brat
Evert Wendell	Jan Vanhaegen
Reyer Mynderse	Johannes Oothout
Anthony Coster	Elbert Gerritse.

Ryer Gerritson	Johannes Schuyler Alderman
Daviell Bratt	David Schuyler Alderman
Melgert Vanderpool	Johannes Rooseboom Alderman
Gysbert Marcelis	Wessell Ten. Broeck Alderman
	Albert Ryckman Alderman
	Jacob Pusch[1] Assistant
	Hendrick Oothout. Assistant
	Lucas Gerrits. Assistant
	Johannes Bleeker Assistant
	Gerret Van Nes Assistant
	Johannes Myngeel Assistant
	Robert Livingston Jun[r]

A true copy

(signed) Bellomont.

Names of such as receive a Salary for Preaching to the Indians.

[New-York Papers, N. O., N. 16.]

May the 13th 1700.

A List of the Names of such as receive Salary for preaching to the Indians

		£	s	d
X	The Reverend M[r] Sam[ll] Treat of Eastham	25	"	"
	Capt Thomas Tuper of Sandwich	30	"	"
X	M[r] Roland Cotton att Sandwich	25	"	"
X	M[r] Peter Thacker of Milton	25	"	"
X	M[r] Daniell Gookin of Sherburn	10	"	"
	M[r] John Weeks of Elizabeth's Island	10	"	"
X	M[r] Grindall Rawson of Mendon	25	"	"
X	M[r] Samuell Danford of Taunton	25	"	"
	M[r] Experience Mayhew of the Vineyard	35	"	"
	M[r] Minor of Woodbury Connecticut	12	"	"
X	M[r] Eliphalet Adams of Little Compton	25	"	"
	Japheth Indian Pastor of an Indian Church at Martha's Vineyard	20	"	"
	Mons[r] James Laborie of Oxford	30	"	"
		£297	"	"

A true Copy

(signed) Bellomont.

[1] Jacob Turck. — Ed.

An Account of His Matys. Revenue in the Province of New York from ye 8th day of June 1698 *to ye 24th June* 1700.

[New York Papers, N. O., N. 21.]

1698	Arreares in ye time of ye late Collector	The Duty on Dry Goods	Duty on Wine imported	Duty on Rumm imported	Duty on Beavors exported	Duty on Goods carryed up Hudson's River	Seizures	Excise	The Weigh house	Quit Rents	Addiconal Duty.	
From ye 8th day of June to ye 29th day of Septembr	226 17 8½	393 2 8½	361 0	401 0 8	379 8 6½	32 4 8	240 8 5⅝	181 15 0	45 17 2½	8 2 3	.....	
From ye 29th day of Septembr to ye 25th day of December	119 12	208 13 6½	158 0	116 15 0	103 13 6	34 13 8	43 11 8	181 15 0	27 12 0½	3 15 0	.....	
From ye 25th of Xber to ye 25. day of March 1699	.....	36 19 2¾	.....	49 7 4	0 12 2¼	3 11 4	.....	181 15 0	75 19 11	153 7 6	.....	
From ye 25 day of March to the 24th of June	.....	511 1 5½	6 10	268 10 0	58 7 ½	31 17 0	.....	534 0 6	46 0 0	.....	41 14 1	
1699.	346 9 8½	1149 16 11	525 10	835 13 0	542 1 3½	102 6 8	284 0 1⅝	1079 5 6	195 9 2	165 4 9	41 14 1	£ s d 5267 11 2¾
From ye 24th day of June to ye 29th day of September	.....	648 2 5½	204 10	254 12 4	310 0 4½	43 11 2¼	2 5 4	119 1 10½	27 3 0	.....	221 4 5½	
From ye 29th day of September to ye 25th day of December	.....	178 3 5½	32 19	151 14 8	206 6 11½	10 0 0	.....	134 11 4	25 16 11½	3 16 0	130 6 2½	
From the 25th day of December to ye 25th day of March 1700	.....	227 1 3	420 5	20 12 4	0 5 0	7 11 0	.....	142 4 10	10 16 5½	1 17 0	114 4 4¼	
From the 25th day of March to the 24th of June	.....	227 1 8	548 0	355 4 4	58 18 7½	3 6 8	.....	266 14 16	23 18 8	5 6 0	267 6 3⅝	
1700 £	.....	1280 8 9¾	1205 14	782 3 8	571 10 11½	68 8 10¼	2 5 4	662 12 6½	87 15 1	10 19 0	733 1 3⅝	5400 19 6½

From the 8th day of June 1698. to the 24th day of June 1699. the totall sum recd is 5267 11 2¾)
From the 24th day of June 1699 to the 24th day of June 1700 the like recd is ..... 5400 19 6½) £10668 10 9½

A true Copy
(signed) Bellomont.

Errors excepted
S. V. Cortland Comr

Mr. Penn's Suggestions respecting the Plantations.

[New-York Papers, N. O., N. 28.]

1 Wee are humbly of opinion for the more easie and certain cômerce of the northern colonies in America under the Crown of England; it would be convenient that there would be one Standard or coin, or that money were of the same value; for in Boston that p^{s} of $\frac{8}{8}$ 6^{s}. goes in New York for 6^{s} 9^{d}. in Jersey and in Pensilvania 7^{s} 8^{d}. in Maryland 4^{s} 6^{d}. Viginia at 5^{s}. and in Carolina.

2. It would be much for the dispatch for trade and business, if a mint for small silver to the value of 6^{d} were allowed in the City of New York for prevention of clipping and fileing, as well as wearing, which is very troublesome.

3 For the incouragement of returns it would be very expedient that due incouragement were given for the exportation of timber from hence for England by an impost on foreign timber, there being great quantities and good for shipping in these parts.

4 That great caution should be observed to adjust the Bounds northwards with the French Com^{rs} or the losse will be great and irreparable. Wee take the South side of the River and Lakes of Canada to be our just and reasonable boundarys, soile and trade with the Indians being much concerned therein.

5 For prevention of runaways and rovers and fraudulent debtors coming from one Province to another for shelter, that it were recommended to all these Governments to make a law with the same restrictions and penalties, as if the whole were but one Government.

6. Foreigners coming dayly of diverse Nations especially Dutch, Sweads, and French, 'tis humbly offered that a generall law of naturalization pass in England that such foreigner that come to inhabit in any of the Kings Colonies that are by Act of Assembly declared freemen in the said Provinces, shall enjoy the rights and liberties of English subjects, except being masters or commanders of vessells and ships of trade.

7. That it were generally signified to the respective Governments for prevention of vexatious and litigious practices, that no appeall for England should be admitted under the real value of £300.

8. That not only charges in apprehending of pyrats but a proportion of the prey may be assign'd for such as shall take them, for the incouragement of their apprehension.

A true copy
(signed) Bellomont.

(Indorsed)
"Heads of severall things proper for
"y^{e} Plant^{ns} to be recommended home
"to England. Drawn up by M^{r} Penn
"& communicated by him to the Earl
"of Bellomont & Coll: Nicholson at
"their meeting at N. Yorke.
"Referred to in y^{e} E. of Bellomont's
"lrê. of the 17 Oct^{r} 1700."

"Rec^{d} 9th } Dec
Read 10 } Jan 1700."

Submission of the Eastern Indians to the Mohawks.

[New-York Papers, N. O., N. 29.]

Albany y^e^ 7. of Oct^r^ 1700.

Memorial given by Henry & Cornelius y^e^ Mohack Indians of the Proposition made by five Sachems of Onnagongue to the Sachems of the Mohacks countrey, saying:—

Brother Corlaer It's in y^e^ late proposition concluded that all the news that comes to eare must be made known by y^e^ one to y^e^ other.

Now follows y^e^ proposition made by y^e^ five Sachems of Onnagongue to the Sachems of the Mohacks country.

Bretheren.

Wee desire to joine with you into the Covenant Chain not only as bretheren but like children under you.

Bretheren.

Wee desire to shelter under your tree of welfare which extends with it's branches to the utmost of the Five Nations; lett it also reach to cover us in our countrey, where we may sitt under the shadow hand in hand together.

Bretheren.

Now we leave the Gov^r^ of Canada for the many cheats he hath put upon us, especially for giving us the hatchet in hand and instigating us to fight against New England in that spring after the peace was proclaimed; which was much to our sorrow after wee were better informed. Wherefore wee wholly part from him and resolved not to hearken to what he might come to say, and fully intended to join with you.

The Govern^r^ of Canada hath long time been our Father and wee his Children and alwayes gave us fair words; but now wee find he is false, have therefore closed up the path in cutting trees across over it, so that none of us can go thither.

Bretheren.

To call you Bretheren is nothing in comparison to Father, therefore wee take you as Fathers & heartily desire in behalf of our Five Castles call'd Ouwerage Ossaghrage, y^e^ Third Castle y^e^ name forgot, Onnagongwe & Unyjaware, that the bounds of y^e^ Five Nations may be reckoned from y^e^ outermost of our said Castles & be joined with us as one heart, & live together under the tree of welfare.

The answer of the Sachems of the Mohack's countrey.

Children.

What you have proposed is very well & we do accept of you to shelter with us under that pleasant Tree of Welfare, where wee shall live friendly with one another, which Tree is so fair that who ever sitts down under it, never parts from it.

Children.

Wee tell you again that you are very wellcome & doubt not but our Brother Corlaer will accept of you for Bretheren to him as we are, and will do well by you; therefore you must

also join with him into the Covenant Chain, as wee & y^e^ Indians of Shaak-kooke are: given them 4 Belts of Wampum by the Mohacks.

Children.

You tell us of a path w^ch^ you have shutt up at Canada; you have another path from your Castles to go to Quebecke, lett that likewise be shutt up, & lead your path hither so that your backs be turned to them and your faces shewn this way.

Children

Now we leave off, but must tell you concerning our religion & how kind our Brother Corlaer is in causing us to be instructed in learning much exceeding the learning you receive in Canada; therefore we desire you to come & participate with us in our belief, so that thereby we may become one flesh & blood. Gave one Belt of Wampum to the Onnagongues & here's 3 Beaver Skins.

A true Copy

(signed) BELLOMONT.

Earl of Bellomont to Secretary Vernon.

[New-York Bundles, S. P. O.]

New York the 18^th^ October 1700.

Sir,

The Advice, Frigat, brought me the favour of your Letter of the 26^th^ of June I am heartily sorry for my Lord Somers's being removed from his employm^t^ and wish it may be as worthily filled by a Successor, and the King as well and faithfully served by another, as he was by him. I am also extreamly troubled for y^e^ Duke of Shrewsbury's indisposition of health that has forced him to resign his imployment.

If you will be at the pains of reading my letter to the Councell of Trade (a Copy whereof I *send* you) there are a great many particulars, some whereof I may presume to say are of great use and service, and w^ch^ some men if they were in my place, would value themselves upon; as for instance my conferences with the Five nacôns, w^ch^ I send you, will show what pains I took to disabuse 'em of the lying insinuations of the French and the success my pains had in retreiving (with difficulty enough) their affection and submission to the King. You will also find at the end of my letter to the Councill of Trade, another great service I have done in bringing the Eastern Indians (who cutt off a 1000 English Families last war in the Massachusetts Province) to enter into a league with our Five Nations and declare for a subjection with them to the King, and a total renunciation of the French; this I cannot but think a very valuable service to England; but for ought I see, I must set a value on my services and recompence 'em myselfe, for any care that's taken of me at home.

I send you all the writing I have that any way relate to Kidd, viz^t^ the Original Articles between M^r^ Livingston, Kidd, and me Cap^t^ Kidds Original Bond for performance of Articles, and also M^r^ Livingston's Bond of Performance, these Originalls I send by the Newport

Frigat, and copies or duplicates thereof by the Ship Fortune, Capt^{n} Deering Coman^{r}. The Original Articles are written wth M^{r} Livingston's own hand, there's no Intricacy in all that matter. The design of the Owners of y^{t} Ship I have reason to know was very honest, & y^{e} successe I believe had been very fortunate and serviceable, had we not been perswaded by M^{r} Livingston to put the Ship under the command of a most abandon'd Villain, for we were all of us, strangers to Kidd, but employed him on M^{r} Livingston's recômendacôn of his Bravery and honesty, but he broke Articles with us at the very first dash, for instead of sailing to those seas w^{ch} Pyrate ships frequent, he came hither directly to New Yorke and loytered away several moneths; and M^{r} Livingston (who was got hither from England before me) told me at my arrivall here, that there was a private contract between Côll: Fletcher and Kidd, whereby Kidd obliged himselfe to give Fletcher 10000^{li} if he made a voyage; M^{r} Livingston told me this was whispered about, but he could not get such light into it as to be able to prove there was such a Bargain between 'em. That was so is palbable enough, because Côll Fletcher suffered and countenanced Kidd's beating for voluntiers in this Town, and taking with him about 100 able sail^{rs} w^{ch} is a loss to this Country to this day. I must say in Justification of the Noble Lords concern'd with me that I do not believe any of 'em ever saw Kidd; and for my own part I never saw him above thrice and M^{r} Livingston came with him every time to my house in Dover Street; the whole matter of the outsett of that ship was transacted by M^{r} Livingston and me.

The 100 Recruits which the Advice Frigat has brought, are very good, but y^{e} officers and sould^{rs} mightily uneasie for want of full English pay w^{ch} I desire you will please to obtain the Kings consent to, Otherwise I must be forced to resign these Governments. Tis really a great wrong and oppression to the Officers and sould^{rs} to have a deduction of 30^{li} p^{r} cent^{m} struck off from their pay in a Country that's full twice as dear to live in, as London. If I were capable of pocketing almost all the 30^{li} p^{r} Cent. as Côll. Fletcher did, I would not urge as I do, the depriving myselfe of so beneficiall an Article, to give it to the Officers and sould^{rs}. In plain English 'tis a great abuse, and much to the King's dishonor it should be continued: it has the air of a trick and a fraud upon the poor sould^{rs} and I will wash my hands of it, and of the Government too, unless the Officers and sould^{rs} have full English Pay.

I desired you about a year and a halfe ago to ord^{r} Major Ingoldesby to his Post: his Company is at Albany, and he has been four years absent and taking his pleasure in England. Your taking a short memorandum of such a thing were not amiss; 'tis an unpardon^{ble} neglect in that man to be away so long from his Duty; his Wife and Children are starving at Albany, and he is so inhumane as not to look after or supply 'em in the least, I wish you would please to get him exchanged for some honest sober Cap^{t} in one of the Regiments in England, for he is a very rash indiscreet man, and had a principall hand in the execution of Leisler and Milburn.

I hope you and the rest of the Ministers will move the King in my favour that I may have some compensation for the 1000^{li} a year the King was pleased to bestow me of the Irish forfeitures and w^{ch} the Parliament have deprived me of, by the Act w^{ch} resumes that and other grants of those forfeitures

The 3rd of last moneth the great Scotch Ship called the Rising Sun wth another called the Duke of Hamilton, and four or five other Vessels lying at anchor within two leagues of Charles Town in Carolina, there arose a violent hurricane that shattered all the said ships to pieces, and drowned all the men that were on board. The Rising Sun had 112 men; fifteen of her

men were gone to Charles Town to buy provisions before the storm happened, and some of those are since come hither. They suppose two other of their ships lost in the Gulph of Florida in the same storm; they all came from Jamaica, and intended to victual and so home to Scotland.

I have a parcell of the swearingest and drunkenest sould^{rs} in my company that ever were known in the world, & 'tis not possible it should be, otherwise; both the Liev^{ts} Fletcher left me, keep Tap Houses, one of 'em has the King's Commission, and tother Fletcher's; I know 'tis against the articles of War that Officers should keep publicke Houses, but really till now very lately that y^{e} King pays the companies here again; I could not avoid winking at the Liev^{ts} taking that ill course for a livelyhood for them and their families; but the ill habit of it I find remains with them and I cannot break them of it, but what is yet worse, I cannot look on them as friends to me, or any design of mine for the Kings service. The Lords of the Councill of Trade direct me to make an experiment in working some navall Stores here, with the souldiers: I cannot go about it with such Officers who I believe would rather traverse me in such a design than further it; and would I fear stir up a mutiny among the sould^{rs} if I should propose to 'em the working at Navall Stores for the King. I am not for breaking those Liev^{ts} but exchanging them for honest good Liev^{ts} in some of the Regiments in England. My first Liev$^{t's}$ name is Peter Matthews, bred up from a child wth Côll: Fletcher, & tis at his house that the angry people of this Town have a Club and hold their cabals; my second Liev$^{t's}$ is John Buckley; there is also another Liev^{t} in Maj^{r} Ingoldesby's Company whose name is Matthew Shank, a most sad drunken sott, and under no good character for manhood. I desire also he may be exchanged for a better man from England; of the two 'tis better these men should serve the King in England than here, because there the King has great choice of men fit for all services, whereas here there are none to be had: I beg you will not forget this exchange of the three Liev^{ts} and of Major Ingoldesby, otherwise I have no business to stay in this Country; and to be plain with you, I would not stay a week here, were it not that I have a mind to accomplish the designs I am upon for the service of England: viz the securing the affections of our Five Nations, and drawing new nations of Indians und^{r} the obedience of his Majesty, building the Fort in the Onondages Country, and lastly furnishing the navy and all the Kings Dominions with Navall Stores and Ship Timber; all which things if I can bring 'em to bear, may I hope pass for essentiall Services.

I give a very good reason in my lrê to y^{e} Councill of Trade for taking off the 30^{li} p^{r} cent. the present deduction from the sould^{rs} pay, for I offer to pay y^{e} Extraordinarys as Chaplains, Surgeons, Gunners, Matrosses and Storekeepers pay, out of the profits I shall make by turning that mony in Trade, w^{ch} I desire you to use as an Argument to move the King to consent to full English pay for these Officers & sould^{rs}.

I desire you will please to deliver my inclosed lrê to the King; 'tis not so much a lrê of business as Complem^{t}; I send you a copy of it for your own perusall alone. I am wth respect.

Your most humble and most
faithfull Servant
BELLOMONT.

Agreement between the Earl of Bellomont, Mr. Livingston and Captain Kidd.

[New-York Bundle, S. P. O.]

Articles of Agreement made this Tenth day of October in the year of Our Lord 1695. between the Right Hon^{ble} Richard Earle of Bellomont of the one part, and Robert Livingston Esq. and Capt William Kidd of the other part:

1. Whereas the said Capt. Kidd is desirous to obtain a commission as Captain of a private man of war in order to take prizes from the Kings ennemies and otherwise to annoy them, and whereas also certain persons did some time since depart from New England, Rhode Island, New York and other parts in America and elswhere wth an intention to pyrates and to cômit spoyles and depredations against the laws of Nations in the Red Sea or elsewhere, and to return wth such goods & riches as they should get, to certain places by them agreed upon, of which said persons and places the said Capt. Kidd hath notice and is desirous to fight wth & subdue the s^{d} pyrates and also all other pyrates with whom the said Capt. Kidd shall meet at sea, in case he is impowered so to do. And whereas it is agreed between the said parties that for the purposes aforesaid a good and sufficient ship to the likeing of the s^{d} Capt. Kidd shall be forthwith bought, whereof the said Capt. Kidd is to have the cômand. Now these presents witness and it is agreed between the said parties:—

1. The said Earle of Bellomont doth covenant and agree at his proper charge to procure from the Kings Majesty or from the Lords Com^{rs} of the Admiralty (as the case shall require) one or more commissions impowering him the said Capt. Kidd to act against the Kings enemies and to take prizes from them, as a private man of warr, in the usuall manner and also to fight with conquer and subdue pyrates and to take them and their goods; with such large and beneficiall powers and clauses in such commissions as may be most proper and effectuall in such cases.

2. The said Earle doth covenant and agree that within three months after the said Capt. Kidds departure from England for the purposes in these presents mentioned, he will procure at his proper charge a grant from the King to be made to some indifferent & trusty person, of all such merchandizes goods treasure and other things as shall be taken from the said pyrates or any other pyrates whatsoever by the said Capt. Kidd, or by the said ship or any other ship or ships under his command.

3. The said Earle doth agree to pay four fifth parts (the whole in five parts to be divided) of all moneys which shall be laid out for the buying such good and sufficient ship, for the purposes aforesaid, together rigging and other apparell and furniture thereof, & providing the same with competent victualling; the said ship to be approv'd of by the said parties; and the said other fifth part of the charges of the said ship to be paid for by the said Robert Livingston and William Kidd.

4. The said Earle doth agree that in order to the speedy buying the said ship and in part of the said four parts of five of the said charges, he will pay down tho sum of sixteen hundred pounds by way of advance, on or before the sixth day of November next ensuing.

5. The said Robert Livingston and Capt. William Kidd do joyntly and severally covenant and agree that on or before the said sixth day of November when the said Earle of Bellomont

is to pay the said sum of sixteen hundred pounds in as aforesaid, they will advance and pay down four hundred pounds in part of the share and proportion which they are to have in the said ship.

6. The said Earle doth agree to pay such further sum of money as shall compleat and make up the said four parts of five of the charges of the said ships apparell furniture and victualling, unto the s^{d} Robert Livingston and William Kidd, within seven weeks after the date of these presents; and in like manner the s^{d} Robert Livingston and William Kidd do agree to pay such further sum as shall amount to a fifth part of the whole charge of the said ship within seven weeks after the date of these presents.

7. The said Capt. Kidd doth covenant and agree to procure and take with him on board of the said ship one hundred mariners or seamen or thereabout, and to make what reasonable and convenient speed he can, to sett out to sea with the said ship, and to saile to such parts and places where he may meet with the said pyrates, and to use his utmost indeavour to meet with subdue and conquer the said pyrates, or any other pyrates and to take from them their goods merchandizes and treasure, also to take what prizes he can from the Kings enemies and forthwith to make the best of his way to Boston in New England & that without touching at any other port or harbour whatsoever or without breaking bulk or deminishing any part of what he shall so take or obtain, on any pretence whatsoever, of which he shall make oath in case the same be desired by the said Earle of Bellomont, and there to deliver the same into the hands or possession of the said Earle.

8. The said Capt. doth agree that the contract and bargain which he will make with his said ship crew shall be no purchase no pay, and not otherwise, and that the share and proportion which his said Crew shall by such contract have of such prizes goods merchandizes and treasure as he shall take as prize or from any pyrates, shall not at the most exceed a fourth part of the same, and shall be less than a fourth part in case the same may reasonably and conveniently be agreed upon.

9. The said Robert Livingston and Capt. William Kidd do joyntly and severally agree with the said Earle of Bellomont that in case the said Capt. Kidd do not meet with the sayd Pyrates which went from New England Rhode Island New York and elsewhere as aforesaid, or do not take from any other pyrates or from any of the Kings enemies such goods merchandizes and other things of value as being divided as herein after is mentioned shall fully recompence the said Earle for the moneys by him expended in buying the said four fifth parts of the said ship and premisses, that then they shall refund and repay to the said Earle of Bellomont the whole money by him to be advanced in sterling mony or mony equivalent thereunto on or before the twenty fifth day of March which shall be in the year of our Lord one thousand six hundred ninty and seven, the danger of the seas and of the enemie and mortality of the said Capt. Kidd allways excepted, upon paym^{t} whereof the said Robert Livingston and William Kidd are to have the sole property in the said ship and furniture, and this indenture to be delivered up to them, with all other Covenants and obligacôns thereunto belonging.

10. It is agreed between the said parties that as well the goods merchandizes treasure and other things which shall be taken from the said pyrates or any pyrates by the said William Kidd, as also all such prizes as shall be by him taken from any of the Kings enemies, shall be divided in manner following, that is to say such part as shall be for that purpose agreed upon by the said Capt. Kidd so as the same do not on the whole exceed a fourth part) shall be paid

or delivered to the ships crew for their use, and the other three parts to be divided into five equall parts whereof the said Earle is to have to his own use four full parts and the other fifth part to be equally divided between the said Robert Livingston and the said William Kidd, and is to be paid and delivered them by the said Earle of Bellomont without deduction or abatement on any pretence whatsoever; but it is always to be understood that such prizes as shall be taken from the Kings enemies are to be lawfully adjudged prizes in the usuall manner, before any division or otherwise intermedling therewith them according to the true intent of the said commission to be granted in that behalfe.

Lastly it is covenanted and agreed between the parties to these presents, that in case the said Capt. William Kidd do bring to Boston aforesaid and there deliver to the Earle of Bellomont goods merchandizes treasure or prizes to the value of one hundred thousand pounds or upwards, w^{ch} he will have taken from the said pyrates or other pyrates or from the Kings enemies that then the ship, which is now speedely to be bought by the said parties, shall be and remain to the sole use and behoofe of him the said Capt. William Kidd as a reward and gratificacón for his good services therein.

Robert Livingston (seal)

William Kidd. (seal)

Memorandum. Before the signing sealing and delivery of these presents it was covenanted and agreed by the said Earle of Bellomont with the said Robert Livingston Esq^{r} and the said Capt. William Kidd that the person to whom the grant above mentioned in these articles shall be made by his Ma^{ty} shall within eight days at the most after such grant has passed the Great Seal of England assign and transfer unto each of them the said Robert Livingston Esq. and the said Capt. William Kidd respectively their heires or assignes one full tenth part (the ship's crews share and proportion being first deducted) of all such goods treasure or other things as shall be taken by the said Capt. Kidd by vertue of such Commission as aforesaid, and the said grantee shall make such assignment as aforesaid in such manner as by the said Robert Livingston Esq^{r} and the s^{d} Capt. William Kidd or their councill learned in the law shall be reasonably devised and required, and then these presents were sealed and delivered, (the sixpenny stamp being first affixed) in the presence of us.

Martha Brehen
John Maddocks.
John Moulder.

Whereas the necessary fitting equipping and setting the Adventure Galley bought by the above mentioned William Kidd in pursuance of these present Articles, could not be compleatly finished & perfected within the time thereby limited and consequently that all the severall sums of mony therein covenanted to be paid were not actually paid by all or any of the parties to the above written covenants and agreements within the time thereby expressly limitted and directed; but that nevertheless all the said sums have since been paid, and the said ships bought for the voyage and design expressed in these articles is now compleatly fitted and provided with all things necessary and lyes ready to depart, and that also the severall Commissions have been obtained by the Earle of Bellomont; it is hereby further mutually declared covenanted and agreed by and between the abovesaid Right Honourable the Earle of Bellomont and Robert Livingston and William Kidd on behalfe of themselves and all others

concerned therein, that notwithstanding the delay in the dispatch of the s[d] ship or galley and of any of the paym[ts] of the monys expressed in the above written agreements, that yet nevertheless all and singular the severall agreements articles and clauses therein mentioned and intended are hereby declared to be and are and shall remain in as full force and vertue, as if the said ship had been dispatched and all the sums of mony had been actually paid within the time limitted and directed by the saidd Articles; any thing herein to the contrary notwithstanting. Dated in London the 20[th] day of Feb. 169$\frac{5}{6}$.

WILLIAM KIDD (seal)

Signed sealed and delivered
in the presence of
JOHN FOCHE Jun[r] WILLIAM THOMPSON.

A true Copy
(signed) BELLOMONT.

Bond of Robert Livingston to the Earl of Bellomont.

Noverint universi per presentes me Robertum Livingston de London Armigerum teneri et firmiter obligari p[r] honorabile Richardo Comiti de Bellomont in regno Hiberniæ in decem mille libris bone et legalis monetœ Angliæ solvênd eidem Comiti de Bellomont out suo certo Attornat. Executor. vel Administratôr. suis ad quam quidem solucônem bene et fideliter faciênd. obligo me heredes executores et administratores meos firmiter per presentes Sigillo meo sigillât. Dât. decimo die Octobris anno regni Domî. nostri Willielmi tertij Dei Gratia Angliæ Scotiæ Franciæ et Hiberniæ Regis, Fidei Defensoris Septimo, anno Dôm. 1695.

The Condicôn of this obligacôn is such that if the above bounden Robert Livingston his executors and Administrators do well and truely observe perform fullfill accomplish pay and keep all and singular the Covenants grants articles clauses provisoes payments conditions and agreements whatsoever which on the part and behalfe of the said Robert Livingston his executors & Administrators are or ought to be observed perform'd fullfill'd accomplished paid and kept, comprized or mentioned in certain Articles of Agreement bearing date with these presents made or expressed to be made between the s[d] Earle of Bellomont of the one part and the said Robert Livingston and Capt. William Kidd of the other part, in all things according to the true intent and meaning of the same, then this p[r]sent obligacôn to be void and of none effect, or else to be and remain in full force power and vertue

ROBERT LIVINGSTON (Seal)

Sealed and Delivered (the sixpenny Stamp
being affixed) in the p[r]sence of us
Martha Brehen
John Maddock
John Moulder.

[The Bond of William Kidd is omitted, being similar to the above in every respect, except the penalty, which was £20,000. — ED.]

Earl of Bellomont to Secretary of the Board.

[New-York Entries, D. 92.]

Extract of a letter from the Earle of Bellomont to the Secretary of this Board. Dated at New Yorke the 19th of October 1700.

Sir

Mr Smith the Chaplain[1] whom I dismist had the impudence to come the other day and question my power of dismissing him. I forgot in my letter to their Lordships where I mention him, to acquaint them with an arch peice of villany done by Smith while I was at Boston. He comes to the Lieutenant Governor and desires him to signe a blank licence, pretending the persons to be married were desirous to have their names concealed. The Lieutenant Governour suspecting Smith's knavery refuses to signe the blank licence. Afterwards Smith brings a licence filled up with the names of Adam Ball and the maiden name of a married woman; he afterwards adds a sillable to the mans name in the licence (after the Lieutenant Governour had signed it) and then it was Baldridge the pirate, that the Lords formerly writ to me about and the woman was the wife of Buckmaster a pirate, who escaped out of the goal of this town, and who had come in Shelley's ship from Madagascar. Being askt why he married Baldridge to another man's wife, he answered she had made oath to him that she was never married to Buckmaster. Then he was asked by what authority he administer'd an oath, being not in the Commission of the Peace; to that he could give no satisfactory answer. Since that it appears Buckmaster was married to the woman by a Justice of the Peace in one of the Jerseys, which is their way of marrying there. I desire you will acquaint their Lordships with this roguery of Smiths.

My Lord of London having writ to Mr Vesey the English Minister of this town to submit himself to me, and to me to accept of his submission; I have complyed therewith and have promised Mr Vesey to become his friend, provided he demean himself peaceably and discreetly for the future, which may not be improper to acquaint their Lordships of. I have newly received a letter from Sir William Ashurst wherein he tells me the Corporation are willing to allow £80 a piece to 5 ministers for the 5 Nations for three years, provided the ministers be taken out of Cambridge Colledge in New England. But there are two things objectable in that offer; first I do not approve or like that the allowance should be temporary, which would discourage Ministers. Secondly, I do not so well like Ministers bred there as Church of England Ministers; for in New England the Ministers pray ex-tempore and mightily decry set forms of prayer; insomuch that they never use the Lord's prayer at any time. The best way in my humble opinion is for their Lordships to send to speake with Sir William Ashurst and the members of the Corporation, which is the way to come to a right understanding in that matter. Sir William is a right honest gentleman and will hearken to reason. There ought to be very great care taken in the choice of Ministers, that they be not such debauched loose men as come to America, who indeed give great scandal instead of inviting to be of our Church Communion. Another thing is they ought to be rightly well principled for his present Majesty's Government, and English men rather then Scotch men. I say rather than Scotch men because my Lord of London is fallen into a vein of preferring Scotchmen to be Chaplains

[1] Rev. Symon Smith is mentioned as Chaplain to the Fort at New-York, July, 1699, in *New-York Council Minutes*, VIII., 123. — Ed.

to the King's ships. I can only say that all the Scotch in these plantations (who are pretty numerous) are very angry since their loosing Caledonia. I should desire of the Corporation but £300 sterling a year for the present for two ministers to be settled at our intended fort at Onondage, and £70 sterling to be divided between the two Dutch Ministers at Albany and Schenectady.

You will meet with an extraordinary good piece of news in the end of my letter to the Lords of Trade about the Eastern Indians, and with a most melancholly account of the loss of some Scotch men and ships in my letter to the Lords of the Admiralty; a copy whereof goes with my letter to your Board.

I send you Sir William Ashurst's letter which I have newly received; 'tis his original letter; that you may if you think fit, shew it to the Lords.

I desire you will acquaint their Lordships that the House of Representatives have given a Land Tax in lieu of the Additional Duty, which I send home & have so much complained of; and they give the full £1500 I demanded of them last session for building the Fort at Onondage. The Leisler party have taken heart again and I could do any reasonable thing with this Assembly for the King's service, if the Judge and Attorney General were come over. 'Tis a great misfortune that they are so long delayed in England.

BELLOMONT.

Extract of a Letter from Quebec.

[TRANSLATED FROM THE FRENCH.]

[New-York Entries, D. 119.]

Extract of a letter from Quebec dated the 13th of Octobr 1700. Recêid. from Mr Blathwayt.

Our Governor has concluded the peace with the Iroquois with great glory to his Majesty, having with his usual prudence so well managed, that he has constrained them to come and sue for it, in spite of all opposition on the part of the English; so that he has effectually rendered himself thereby the arbiter of all the Nations by obliging them likewise to make peace with all those of the Upper Country. We shall, by this means be relieved in some trifling degree, of the contributions we were obliged to levy to aid him in defraying the heavy expenses entailed on him by the war.

Earl of Bellomont to the Lords of Trade.

[New-York Entries, D. 97.]

To the Right Honorable the Lords Commissioners for Trade & Plantations.

My Lords.

I did not think to trouble your Lordships with another letter by this Frigat but that of the 17th instant. But there has happen'd an unlucky accident which 'tis fit your Lordships should be made acquainted with. Samuel Yorke and the rest of the men that I sent to the Dowaganhas Indians were stopp'd by some of our Five Nations between perswasion and force. The occasion is this: the Dionondades or Jenondades nation of Indians who live next to the Dowaganhas have made an infall on our Oneides Onondages, and Syneck Nations all at once and killed several of them; which has so exasperated our Five Nations that they are now sending a good body of men detach'd from all the nations to fall upon those Indians and take revenge of them. This news was brought me yesterday by Capt. John Schuyler. I had directed Samuel Yorke and the rest to call on some of the Five Nations and take some of them to the Dowaganhas country; but it seems they refused, and bade these men return to Albany unless they meant to be knock'd in the head by the French or their Indians. Several of the Albany people are now here and they conjecture that the overture made by the Dowaganhas Indians to our Five Nations of coming to live near and in friendship with ours (as in the Conference I have sent your Lordships) was only a French stratagem to amuse our Indians, that being lull'd into a security those nations falling upon ours (as they have now done) might do the greater execution upon them. Our Indians when I was now last at Albany said they had lost 120 men since the peace; and I remember at my coming hither, which was just at the end of the war, the number of fighting men in the Five Nations was reckoned but 1400 at most. I appeal to your Lordships whether the Five Nations can at this rate last many years and be a barrier between these Plantations and the French. 'Tis the French without all doubt that instigate those remote nations to vex and destroy ours as they do. Our Nations firmly believe it, and so do I; because the Governour of Canada told some of our Indians so, as your Lordships have been acquainted. We shall loose the Five Nations and all our American Plantations by our frugality; there's no care taken to fortify Albany and Schenectady, either for our own security or for incouragement of the Indians; so that truly I fear their dread of the French will make 'em revolt to 'em. If 7 or £8000 sterling is to be put in ballance with our keeping these Plantations, then we had as good to make the French a complement of 'em, before they take 'em from us against our will, as most certainly they will do, if they kill part of our Indians and inveigle away the rest. This service is too pressing to stay for Coll: Fletcher's debt to the King which will require a law suit. 'Tis fit he should be compell'd to refund the mony he has cheated the King of; but I hope there's other mony to answer necessary services.

As to mine and the Council's proceeding in the cause between the Widow Wandall and Alsop which your Lordships find fault with; I took Mr Graham's the Attorny General's opinion in it. He cry'd out against Coll. Fletchers affirmation of a verdict and judgment obtained in Queen's County, as the most enormous injustice that had been done any time in this Province, and told me what marks of horrour Coll. Fletcher shew'd at the time of giving judgment, by trembling and growing pale. He put me upon that method of righting the widow,

and truly I expected he would have been of Council for her, for so he told me; but he never wants a trick upon an occasion, and appear'd not at all at the hearing. Coll: Smith too, our Chief Justice sate then at Council and made no objection to the proceeding. I remember he told me that Mr Emot, one of the lawyers here, observed to him that Coll: Fletcher was in a great consternation when he gave judgment against Mrs Wandall and that it was a foul judgment: Emot was of councill for Mrs Wandall. I remember Coll: Smith when I took the opinions of the Council, said he would not give his vote for either side; which I understood to be a tacit consent that the Widow was in the right, but Mr Nichols was Alsop's friend, for Nichols carrys a great stroke with all that party. If I was in the wrong 'twas more than I knew, and I wonder I have not made more slipps considering what men are of Council for the King in this Province.

I have received your Lordships letter of the 1st of August and will as well as I can comply with your Lordships directions therein.

The recruits from Ireland are newly arrived this evening after more than 13 weeks being on the voyage. The officer tells me they have been very unruly and mutinous, which I do not wonder at, for the Owners of the vessell that brought 'em have not perform'd the charter-party honestly, and the men have suffer'd great hardships.

I am with great respect, My Lords
New York 24th October. 1700 Your Lordships most humble and obedient servant
BELLOMONT.

P. S. Mr Stoughton the Lieutenant Governour of Massachusets Province writes to me this last Post that the French are fortifying Port Royall, to the Eastward of the said Province.

Lords of Trade to the Archbishop of Canterbury.

[New-York Entries, D. 2.]

To the Most Reverend Father in God the Lord Archbishop of Canterbury

My Lord

The Earl of Bellomont having several times represented unto us the great want of some ministers of the Church of England, to instruct our Five Nations of Indians on the frontiers of New York and prevent their being practised upon by the French priests and Jesuits who are conversant amongst them and very industrious in perswading them by pretences of religion to espouse the French interest; We have therefore represented to Their Excellencies the Lords Justices our humble opinion that if a fund can be found for the maintenance of such ministers, they may be of very great use and service, as well for the propagation of the Reformed Religion as for improving the interest of England.

We have also lately received from His Lordship some further advice upon the same subject, of which we send Your Grace the inclosed extract;[1] desiring Your Grace would be pleased to consider of the most speedy and effectual means for the promoting of so good a work.

We are

Your Graces most humble Servants

(signed) STAMFORD
Wm BLATHWAYT
JNo POLLEXFEN
ABR. HILL
GEO. STEPNEY
MAT. PRIOR.

Whitehall October the 25th 1700.

We have recommended the same thing to the Lord Bishop of London.

Earl of Bellomont to the Lords of Trade.

[New-York Papers, D. 102.]

To the Right Honorable the Lords Commissioners for Trade & Plantations.

My Lords.

The recruits that came from Ireland are a parcel of the vilest fellows that ever wore the King's livery, the very scum of the army in Ireland and several Irish papists amongst 'em, who have stirr'd up a general mutiny among the soldiers, and had they had the brains to manage their villany with any sort of discretion and cunning, they would have puzzled us mightily to reduce them; but instead of mutinying within the Fort as they might have done, they did it without the Fort, which gave us an advantage of 'em. I had directed the Lieutenant Governour to draw 'em all up (the new and old) near the Fort to read an Act to 'em which we pass'd this session to punish mutineers and deserters, and to detach afterwards some of the men to Albany to incorporate with those Companys that are there. But when he proposed it to 'em, they swore they would not stirr till they were assured of full sterling pay, and sea pay during their voyage; they cry'd one & all and swore they would dye rather than yeild till they were satisfyed in all their demands. The Recruits from Ireland landed here on Saturday last, and that night they made a strange disorder in the town and wounded several of the inhabitants.

I have three fourths of the soldiers prisoners, and will try some of 'em tomorrow, and I am apt to believe we shall hang or shoot ten or a dozen of 'em. I made use of one slight, which gave me the advantage of the mutineers: I sent to the Burghers to come into the Fort without arms and a few at a time, and in a very little time I had near 500 men who I arm'd out of our store, and then the soldiers submitted at discretion. I must needs say all the Townsmen and Merchants of all parties have been very unanimous this day in shewing their zeal to suppress the mutiny. The contrary weather has staid the Newport Frigat these three or four

[1] From Document, ante pp. 692, 693. — ED.

days past, and I have prevail'd with Capt. Morrice to stay this day, that I might have an opportunity of acquainting your Lordships with this ill accident. I am, with respect

My Lords

Your Lordships most humble
and faithfull servant
BELLOMONT.

New Yorke 28th
October 1700

Lords of Trade to the Earl of Bellomont.

[New-York Entries, D. 4.]

To the Right Honble the Earl of Bellomont His Majesty's Captain Genll and Commander in Cheif of His Majesty's Province of the Masschusets Bay, New York and New Hampshire in America and of the Territories thereupon depending &c Or to the Commander in Cheif of His Majesty's Province of New York for the time being.

My Lord.

The letters we have received from your Lordship since ours of the 19th of Septr are one from Boston of the 15th with one to our Secretary of the 16th and another from New Yorke of the 26th and 31st of July last; and with those letters we have also received all the papers to which your Lordship therein refers.

The Address of the General Assembly of the Massachuset's Bay to His Majesty, received with the first of those letters, shall be laid before his Majesty with a representation which we intend to prepare on the same matters. What has hindered us hitherto from doing it is, the want of a draught of the Charter for Harvard College and such other informations, as we expected to receive from Sr Henry Ashurst[1] in pursuance of the directions which yor Lordship writes you had given him on that subject. We have write to Sir Henry about it some while since, but have yet received no answer.

As to the boundaries We have always insisted and shall insist upon the English right as far as the River St Croix; but in the mean while in relation to the encroachments of the French, and their building a Church on Kennebeck River, that seems to us a very proper occasion for your Lordship's urging the generall Assembly of the Massachuset's Bay, to rebuild the Fort at Pemaquid, which they ought to have done long ago: and thereby they might have prevented this and many other inconveniences. The alarm they have had from the Indians is also another argument to make them think seriously of that matter, and they ought to be pressed to it with all possible earnestness.

The Acts that you have sent us of the Massachuset's Bay, past there the 29th of May last, are not under seal; but we suppose we shall ere long receive an authentic copy thereof (as we have done others formerly) from Mr Addington, and then they shall be considered.

[1] Sir HENRY ASHURST was son of Henry Ashurst, Esq. who had a great hand in settling the Corporation for Propagating the Gospel among the Indians in New England. Though a zealous dissenter, he was created a Baronet just before the Revolution. His lady was daughter of Lord Paget. He acted as Agent for Massachusetts until 1702, and being an honest man and conscientious in the discharge of his trust, had been very serviceable to that Province. He died in 1710, leaving only one son, Henry, who succeeded to the baronetcy, represented Windsor, and died in 1732, without issue, whereby the title became extinct. — HUTCHINSON.

As to your Lordships appointements for your several Governments, you will already have perceived what we have done, by the Copyes of two Representations sent you in our letter of the 22 of June last; the consideration whereof we understand lyes yet before Lords of the Treasury.

Your Lordship will have seen by several of our former letters what we have also done in promoting your desire that a Judge and Attorney Gen^{ll} for the Province of New Yorke may be sent from hence; and we now intend to represent to His Majesty what you write about the want of an able Secretary for the said Province. But in the mean while we conceive your Lordship may take care that the Clerks imploy'd by the Secretary be such as are capable of the business and fit to be intrusted with the papers of his office. And as for all other officers in civil imployments not fitly qualified, wee know no more proper remedy than that where it lies in your power you put others better qualified in their places.

Wee have consider'd all the papers received with the last of your forementioned letters, relating to the Indians and though wee hope the care already taken here upon the first intimation of an insurrection designed by them or others, and the arrival accordingly of the recruits, cloathing, presents, money &^{c}, at New Yorke will long ere this time by your Lordship's good management have alter'd the state of those affairs; yet we have now made a further use of those papers by sending extracts of what relates to the want of Ministers to His Grace the Lord Archbishop of Canterbury and the Lord Bishop of London that they may take it into consideration, and are also at the same time taking what care wee can otherwise, that something may be effectually done therein. Wee have likewise sent extracts of what relates to the practices of the French amongst our Indians to M^{r} Secretary Vernon to be laid before his Majesty, that orders may be procured from the French Court for the preventing of such like practices for the future.

Amongst the foresaid papers there are some signed by M^{r} Livingston, as Secretary of the Indian Affairs. This puts us in mind of what Your Lordship informed us the 8th July 1699. (whereof an extract is here enclosed) about M^{r} Livingston's behaviour upon occasion of Kid's arrival at Boston in imbezling the goods brought in by Kid and pressing to be discharged from his own bond; and as these things were then displeasing to your Lordship and seemed to give you suspicion of his guilt, it is fit wee should know what proof has since been given of his innocency, that he should be continued in the Council and other publick imployment.

Your Lordship will have perceived by your letter of the 11th of April last that what you write about the cutting off of 27 month's pay and subsistence from the soldiers, is a mistake. There has not any either pay or subsistence been cut off; but the Parliament having taken upon themselves to provide for the arrears of His Majesty's forces in all parts of the world to the 25th March 1699. the pay and subsistence of the two Companys in New Yorke are assigned on the Forfeitures of Ireland in like manner as the pay and subsistence of all the rest of the Forces. Nor could any other provision be possibly made for them, His Majesty having no other fund for it.

As for the reduction for the 4 Companys in New York to 200 men, it was done upon Your Lordship's information, that there were but 180 effective men of those Companys in being, and by the present Establishment they have been made up 400, as soon as His Majesty was enabled to do it.

Wee pray your Lordship therefore to have a more favorable opinion of those that have the honor to approach the King than to impute unto them the having given His Majesty any ill advice in these matters. Wee neither know any person that has done it, nor do the things themselves appear to be the effect of any such advice.

In our last letter wee told your Lordship that wee had then under consideration the whole scheme of what you had writ us at several times relating to the production of Naval Stores in

the Province of New York, and the security of those frontiers; as also what you had writ about the waste committed in the woods of New Hampshire and the Eastern parts of New England. Wee have accordingly laid two representations upon those subjects before Their Excellencies the late Lords Justices, whereof we send you copys here enclosed for your private information; and when any orders are made thereon, wee shall send them also for your direction.

The ship with timber from New Hampshire, for which Mr Partridge enter'd into bond that she could come for England, being accordingly arrived in Torbay, the merchants concerned therein made application and great complaint to us about that matter; and wee finding thereby that this happens to be the same ship concerning which His Majesty by order in Council of the 9th May last (whereof wee sent you a copy in ours of the 21 June) had directed that she should be permitted to proceed on her voyage to Portugal; wee accordingly represented to Their Excellencys our opinion thereupon, and send your Lordship also a copy thereof here enclosed. However as to this trade of timber from the Plantations to foreign parts, wee shall take occasion farther to consider of it.

The representations that wee were preparing upon the Acts of the Generall Assembly of the Massachuset's Bay and New Hampshire, having been laid before Their Excellencys, wee send you copys thereof here enclosed; to which wee refer ourselves for the reasons of what wee have therein offered; and when wee receive orders thereupon they shall also be transmitted to you that they may be observed.

In relation to those Acts wee send you also herewith a copy of some remarks that wee have made upon divers of them, which wee think very proper to be observed by the Generall Assembly of the Massachuset's Bay upon all like occasions.

Mr Hillary Reneu a member of the Lustring Company, who has had many occasions to apply to us in behalf of that Company has lately communicated to us the copy of a letter he writ to your Lordship the 8th of March 169$\frac{8}{9}$. relating to Lustrings and Alamodes unlawfully imported into New England; which letter he says was delivered to your own hands; and he has farther desired us to recommend the matters he writes about to your Lordship's care. Though wee cannot advise your Lordship to those particular methods which he suggests, because the act upon which he grounds his desire is not in force in New England as he supposes it to be; yet the Act of the 15th of King Charles the IId forbidding *that any commodity of the growth, production or manufacture of Europe be imported into any of His Majesty's Plantations. but what shall be bonâ fide and without fraud shipped in England Wales or the town of Berwick &c* being a sufficient authority for stopping of that indirect trade; Wee think your Lordship will do very well to discourage it by all legal means, and more especially by charging the officers of the Customs that they be very vigilant in the discharge of their duty in that particular.

The enclosed copy of a letter from Mr Homrigh to Mr Blathwayt shows your Lordship the last account wee have had of the recruits from Ireland.

We are, My Lord

Your Lordships most humble servants

STAMFORD
PH: MEADOWES
Wm BLATHWAYT
JOHN POLLEXFEN
ABR: HILL
MAT. PRIOR.

Whitehall October 30th 1700.—

P. S. Wee desire your Lordship to be mindfull of His Majesty's instruction for sending home yearly accounts of the arms ammunition and stores remaining in all His Majesty's Magazeens and garrisons, in the several Provinces under your Government, and to take care that those accounts be regularly transmitted as His Majesty has directed.

Wee also desire Your Lordship (as wee shall do the Governors of all His Majesty's other Plantations respectively) that a Memorandum be entered upon the Councill Books of all your Governments to caution them that whenever any of those governments, by the death absence or removal of a Governor or Lieut. Governor immediately commissioned by His Majesty, comes to devolve upon a President and the Councill of any of those Plantations or Governments, such President and Councill do forbear to pass any Acts but such as are immediately necessary for the peace and welfare of any of the respective Governments, without His Majesty's express order for that purpose.

Bishop of London to the Lords of Trade.

[New-York Entries, D. 13.]

To the Right Honorable the Lords Commissioners for Trade & Plantations.

My Lords.

I am very sensible of the just care the Earl of Bellomont has expressed for the conversion of the Five Nations, and I wish with all my heart that I had five Apostles for them. But you may be assured I will make it my business to find out fit persons for the work, when I can know how they shall subsist. It was a great unhappiness that Domine Dellius a Dutch Minister in Albany fell under his Lordship's displeasure, for he was the only man that understood how to converse with the Mohacks of whom he had converted several to a sincere embracing of the Christian Faith, and had gained such an interest in them as proved of great service and security to the whole Colony. But he is banished. Another thing I would humbly suggest that since there is still so much need of emissarys, His Lordship, if his Commission does not already impower him, might have a new one to call the gentlemen of New England to an account how they have bestowed that considerable yearly revenue which was given for this very purpose from their first planting. However I shall most readily obey your commands in this or whatever else may be in the power of

My Lords

Your Lordships

Most obedient humble servant

1 Novr 1700 H. London.[1]

[1] Dr. Henry Compton; he died 7th July, 1713.—Ed.

Earl of Bellomont to the Lords of the Treasury.

[New-York Entries, D. 184.]

To the Right Honorable the Lords Commissioners of the Treasury.

My Lords

About a month since I received a letter from Mr Champante Agent for the four Companies in His Majesty's pay in this province wherein he gave me an account he had lent Mr Weaver Collector of this Province £425 of the money he had received from the Pay Office and taken Mr Weaver's bill of exchange drawn on my self and the Council for that value. Mr Champante made very free with me in parting any of that money without the least direction from me, and his carriage therein has been a trouble as well as surprize to me. Therefore that I may be safe from any such mismanagement for the time to come I must either throw up the Agency or desire your Lordships will please to take good sufficient security of the person as shall be presented to you by Sir John Stanley and Mr Secretary Popple or either of them, for Agent of the four Companies here in this Province. If the security be proportioned to the Trust, the sume ought to be £10000, because the Agent will have £7000 a year if the Kings mony in his hands. I ask your Lordships pardon if I offer what is out of custom and method, but being so far from England my self, 'tis impossible for me to manage this point my self, for I may chance to name a person for Agent who may not be willing to accept, or other accidents might intervene that I might not foresee; so that I think it best to leave the choice of a fit person to freinds.

I inclose herewith a copy of Mr Weaver's commission (marked A) and his bill of exchange (mark'd B) and of his account (mark'd C.) wherein your Lordships will find he charged £200 a year salary for Collector of this Province and at that rate £300 for a year and half's salary commencing the 25th of March 99. I shewed his bill and account to the Council, who smil'd at it, that he should pretend to a year and half's salary for taking his pastime in London, while another that does the duty of the place will without all peradventure be paid the full salary; so that should Mr Weaver's pretension be allowed, the King will be at the charge of paying two salaries instead of one; and the reason and the justice of that your Lordships are the most proper judges of. 'Tis above a year since I writ to Mr Weaver to hasten his coming to his post, but he took no notice of the remembrance I gave him of his duty.

I desire your Lordship will please to signify your direction in that matter, that I and the Council may govern our selves accordingly. I wish in all commissions for places of trust in these Provinces I am concern'd in, there were a particular clause that the persons should not be entitled to any salary or profits but from the time of their entering upon the execution of those places or imployments and that would be a spur to them to hasten over and not loyter a year and half in London, as Mr Weaver has done, and yet expect to be paid their salaries.

We have appointed by Act of Assembly Commissioners to examine and state the Publick Accounts of this Province and that Article I have been now observing to your Lordships in Mr Weaver's Account will never pass with those Commissioners without a positive order from your Lordships. The Council seem'd to think some other articles in Mr Weaver's Account pretty extravagant too.

The Trade both here and at Boston is under all the ill management your Lordships can imagine, and it seems to me a thing extraordinary that Mr Brenton and Mr Weaver should be

suffer'd to stay so very long from their posts. Mr Brenton has been in England above two years. I believe a full third part of the trade of Boston and this place is directly against law, and if your Lordships will not keep a strict hand over the Collectors, the trade of England must suffer exceedingly. 'Tis not possible a Governor should do his own duty and the Collector's too.

I have laid before the Lords of Council of Trade as exactly as I have been able, a state of the Provinces under my government. Above all other things I have observed to their Lordships the treachery and corruption of the last Governour of this Province, Collonel Fletcher, in selling almost all the lands and woods in this Province, to nine or ten mean persons, to the unexpressible prejudice of the Crown. For finding (as I have pretty well demonstrated to their Lordships) that the King and all his dominions may be furnished plentifully and cheaply with naval stores and masts for the King's ships of war from hence. When I come to examine the matter nearly, the King has not an acre of land nor a tree left in the Province, for Fletcher has made sale of both. The Lords of the Council of Trade will I doubt not make that abominable corruption of Fletcher's appear to the King and all the Ministers, and likewise will expose the fraud that's endeavoured to be put on the Crown in the countenance that's given to Collonel Allen in his claim of all the soil and woods of the whole Province of New Hampshire, and a great part of the Province of Massachusets Bay. These Plantations are of an unspeakable value to the Crown and should not be suffered to be sold away and betray'd to a few private hands. 'Tis your Lordships' province to see that the lands and woods belonging to the Crown be not purloined and imbezzled; therefore I thought it my duty to give your Lordships this account.

I laid out in his Majesty's service and by his command £71 17 8. New England mony, in my journey to Rhode Island and back again to Boston when I was ordered to execute a commission of inquiry in Rhode Island.

I have also laid out £60 New England mony for apprehending James Gillam a pirate, since executed in London. Both sums make £131 17 3. out of which 30£ pr Cent is to be deducted to make it sterling. The Commissioners of Accounts will never allow it shall be paid here, & the King has no revenue in the Massachusets Province, where the mony was expended. Therefore I desire your Lordships will please to order the mony to be paid to Sir John Stanley for my use, otherwise I shall be a sufferer for having obeyed the King's commands.

I had like to forget to acquaint your Lordships that report being made to me and the Council that a few years ago the excise of the City and County of Albany yeilded above £400 a year being then let to farm, but that since Mr Livingston has had the collection thereof it is sunk to a £100. a year; £50 a year whereof he receives for his own use, by way of salary and that by vertue of a commission he obtained in the year .95, in England, which constitutes him Secretary of the Indian Affairs at a £100 sterling, a year, salary; Collector of the Excise of Albany as aforesaid at £50 a year and Town Clarke of Albany, County Clarke of that County, and Clarke of the Common Pleas thereof. The Council represented to me that it was a wrong done the King and this Province, that Mr Livingston should have the management of that branch of the revenue, when it impair'd so much in his hands and that he should receive £50 a year for himself out of a £100 a year. Therefore they advised the setting it to farm and that Mr Livingston shall have no concern in it; which I thought was reasonable, and 'tis accordingly so ordered. The Comrs of Accounts too, have entered a caveat against Mr Livingston's pretension to £800. due by the Province, and for which he obtained an order in

England. The Com^rs object against his account, but they have not yet told me the particulars they object against. By the next opportunity your Lordship shall be informed about it.

M^r Bass has had great good fortune in his tryal, upon the account of my seizing the ship Hesther at Pert-Amboy in East Jersey, to have recovered such great damages of the King. The ship was sold by inch of Candle and there was no sort of partiality shewed by me in that matter as Bass has most falsely told the world, in a printed paper he dispersed last Session of Parliament, among the members of the House of Commons, neither did I get a shilling directly or indirectly by the sale of that ship after condemnation; but all the mony she sold for was applied to the payment of the Masters and saylors wages. That ship at the time of her seizure was much out of repair, and had no sort of merchandize on board her but 28000 pipe staves, which were all sold by one Wooley, who was Basses Agent, to Collonel de Peyster.[1] Bass was reckoned to be happy in my seizing that ship, by all people here that knew his circumstances. The discourse was among the merchants here that he had imbezzled his brother in law, M^r John Loftning's cargo, which that ship brought from England, valued at £800. and by that means M^r Lofting became bankrupt. The ship lay at Amboy near a year before Bass could freight her, and then neither was he able to freight her otherwise than with a paultry loading of pipe staves, which at £3.10 p^r 1000, which is the common price, New York mony too, is but £98. this mony, and not much more than £70 sterling. So that with what conscience such extravagant damages were awarded for that ship and her loading of pipe staves, is more proper for your Lordships inquiry than mine.

A most violent storm that happen'd here the 29^th^ of Nov^r at night drove all the vessels in this harbor from their Anchors and damnified most of them, and this ship among others which carries my packets, and delayed her a week longer from sailing; which gives me the opportunity of sending your Lordships Collonel de Peyster's affidavit, sworn before the Mayor of this City with the seal of the City affixed to it; which will satisfy your Lordships of the many falsities alledg'd (and for ought I know sworn) about the value of the ship Hester and of her pretended

[1] Abraham de Peyster, son of Johannes de Peyster and Cornelia Lutters, was born on the 8th of July, 1657, in the city of New Amsterdam, now New-York, and married Catharine de Peyster, in Amsterdam, on the 5th of April, 1684. In 1685, he filled the office of Alderman in his native city, and being in command of the Military Companies in 1689, on the breaking out of the Revolution, attached himself to Leisler. He must not have been very obnoxious, however, to the opposite party, for he was appointed Mayor of the city successively from 1691 to 1695. He was called to the Council on the 28th of September, 1698; was appointed on the 4th October following, assistant Judge of the Supreme Court, *New-York Council Minutes*, VIII., 64, 65, and acted as Chief Justice immediately before Attwood's arrival in this country. *Commissions* II., 144. Lt. Governor Nanfan being absent from the Province on the death of the Earl of Bellomont, Colonel Smith claimed that all the powers of government were devolved on him, as oldest member of the Council. This view was opposed by Colonel de Peyster and other gentlemen of the board, who insisted that the Government was devolved not on any single member, but on the entire Council, which had a right to act by a majority of votes. This was the opinion of the Assembly, confirmed afterwards by the Lords of Trade. *Smith's History of New-York*, I., 136. Colonel Smith, in consequence, frequently absented himself, and on such occasions Col. de Peyster, being the oldest member present, presided at the Council board, and administered the government. *Council Minutes*, VIII., *passim*. On the 15th of August, 1701, he was sworn in Deputy Auditor General of the Accounts of the Revenue. *Ibid.*, 266; was, in the following year, one of the Judges of Bayard and Hutchins, whose conviction did not redound, by any means, to the credit of the Bench, as impartial administrators of Justice; and, in September following, was suspended as member of the Council by his political opponents who had then returned to power. The Assembly, becoming fully convinced, in 1705, that Lord Cornbury was no longer to be trusted with the public funds, insisted on appointing a Treasurer for the receipt and disbursement of any moneys the Legislature might order to be raised for public purposes, and on 19th October, 1706, Colonel de Peyster was appointed, by Statute, to that responsible office: *Original Laws*, III. He held the appointment until June, 1721, when he was rendered, by ill health, incapable of any longer discharging its duties. He was succeeded in the office by his son Abraham, *Journals of Assembly*, I., 452, 478; and died in the city of New-York on the 2d of August, 1728, aged 71 years. He had issue eight sons and five daughters. — Ed.

Cargo. Collonel D' Peyster is a very honest upright man, and Bass on whose credit that tryal about the ship was chiefly engaged into by the Proprietors of the Jerseys, is a known profligate fellow and remarkable for lying.

I am with respect
My Lords
Your Lordships most humble
and obedient servant
BELLOMONT.

New Yorke
Nov^{r} 23^{d} 1700

Earl of Bellomont to the Commissioners of the Customs.

[New-York Entries, D. 191.]

To the Hon^{ble} the Com^{rs} of the Customs.

Gentlemen.

I have received the favour of your letter of the 18th of August, but it lay here in this town 3 weeks before I got it. M^{r} Ashfeild it seems staid behind in England, and your letter and M^{r} Secretary Vernon's and some others came in his trunck before him, without any intimation to his wife or any body else that the letters were there; so that 'twas by accident the trunck was open'd and the letters there found.

As for M^{r} Ashfeild I can say neither good or bad of him of my own knowledge, but I will deal plainly with you and tell you he bears a very scurvy character here. I am told by several hands that he pretended to break here for £1200. and yet carried off (that can be proved) £600. and went to England with Coll. Fletcher. He is said too, to be much given to gaming and is of that party that has given me trouble and opposition in the just discharge of my duty. Besides he is of this country as being married here, and I have always found just reason to except against such men in offices of trust under the King; they having little interests and friendships to gratify which do not all consist with the King's service. I appeal now to you whether M^{r} Ashfeild being under such circumstances can be thought qualified for a place of so great trust as that is to which you have appointed him: if you can satisfy your selves I have no more to say.

I wish the Collectors of the Plantations were not suffer'd to loyter in England as they do. M^{r} Brenton has been from his post above two years, and M^{r} Weaver almost as long, and pretends to be paid his salary from the date of his Commission; which will never be allow'd him here, unless the King positively orders it shall be so. I have watched the trade of my three Governments as narrowly as I have been able, and I believe in my conscience there is not less than a third part in all three that is directly against law; and no wonder 'tis so when there's so little care taken to prevent their unlawfull trading. The Collectors whose proper business it is to watch the trade, and to that end should never stir from their posts, are suffer'd to make journeys of pleasure and to be away whole years together. M^{r} Brenton was away I am told three years together in England once before. I am sure so long absence does not argue the honesty of a Collector, and the loose management of the Revenue here is a reflection on the management at home. Whatever is got in these Plantations by an unlawfull

trade is a wound to the trade of England. At Boston, Mr Brenton's Deputy is a merchant. I cannot say any thing against the man's honesty; he seized about 5 weeks ago a brigantine richly loaded and has taken security of the owners that they shall stand tryall, & so has let go the ship and cargo. I hear he took that course because the Judge of ye Admiralty was not in that country at that time. The two Waiters keep publick houses, whis is not an honest calling. There ought to be two arm'd sloops to guard the trade of Boston and one here; both that country and this are naturally cut out and seated for unlawfull trade, all that is possible; both abounding with creeks and islands and lurking places for vessels to run their goods in.

I am, with respect
Gentlemen
Your most faithfull and
humble servant
BELLOMONT.

P. S. 26th Nov. 1700. I intended you Collonel Courtland's Quarterly Book of Entries and Clearings of ships which he was providing, but he fell sick about 8 days since and dyed yesterday.

I send you the Navall Officers Book of Entries and Clearings, and his Register of ships for Michaelmas Quarter.

Earl of Bellomont to the Lords of the Admiralty.

[New-York Entries, D. 194.]

To the Rt Honble the Lords of the Admiralty.

My Lords

I have made an agreement with two honest substantial men in this Country for 24 masts of 40. 37. 36 and 35 inches in diameter, wch are of the greatest sizes I find mentioned in the contract made by the Navy Board with Mr Taylour. 40 inches diameter is not there mentioned I know, for I was told last year at Piscataway there never was but one mast of that diameter sent for England, and 37 inches is the greatest diameter I meet with in that contract. But these men telling me there are pines of 12 foot in circumference in the woods, I sent them to visit or view above Schenectady in this Province; both they & I conceive there must be trees of 40 inches or more in diameter.

I send your Lordships a copy of the articles between me and them (mark'd A), of the bond for performance of articles (mark'd B), of my instructions to them to purchase the woods of the Mohack nation of Indians for the Crown &c (mark'd C) and of the different prices masts were sold by Mr Taylor to the King, offer'd to be delivered at Pescataway by Mr Bridger, and now actually agreed to be delivered at New Yorke for the use of the Navy; the said paper of prices (mark'd D.) the said writings I drew my self; therefore your Lordships must not find fault if there be not all the exactness in point of form that one would wish. The reason I drew them my self was the necessity there was of keeping that matter a secret. Those men

that call themselves lawyers here, are not of a principle to be trusted with any thing that's for the King's service, they being all disaffected to the government, and did they know this bargain and design of mine, they would with the rest of their party, put notions in the Indians heads (who are the jealousest people on the earth) to make them either not consent to the Kings making use of the Woods at all, or not consent, under an extravagant price

By the foremention'd paper of prices your Lordships will see the very great difference between M^r^ Taylor's prices and mine. I call 'em mine, because the bargain was made by me; but I protest I am not to get a shilling directly or indirectly by it. I shall by this bargain have the King furnished with masts £70 p^r^ Cent cheaper than Mr. Taylor furnish'd them, which I think is not a slight service done the King. I dare undertake to furnish the King with all his masts, bowsprits and yards at such rates, as I will save him at least £15000 a year of what they have cost him hitherto. And the persons I sent to view the woods assure me there are trees enough to serve the King's navy with masts a 1000 years. Two of those I sent are ship-carpenters. I desire your Lordships will please to send a fly boat of 500 tun so as to be here by the last of Aprill next, and I will load her with those masts and ship timber; all which shall be in readiness for her coming. I can supply the King and all his dominions with naval stores (except flax and hemp) from this Province and New Hampshire, but then your Lordships and the rest of the Ministers must break through Coll. Fletchers most corrupt grants of all the lands and woods of this Province, which I think is the most impudent villany I ever heard or read of any man. I will instance in 3 or 4 of his grants to let your Lordships see that man's fraud to the Crown. To M^r^ Godfrey Dellius a grant of land 86 miles in length 20 (and as some say) 25 miles in breadth. To Coll. Bayard a grant of about 40 miles long and 30 miles broad. To the same M^r^ Godfrey Dellius and partners another grant (and that the Mohack Indians land which they have often complained of) 50 miles long & 4 miles broad. To Capt. Evans who commanded the Richmond firigat here, a grant of 40 miles long and 30 miles broad, and about half a dozen grants more, little inferiour to those I have named; without reserving to the Crown any Quit rent or the liberty of building a fort or cutting a tree on any of y^e^ said lands.

I have advanced a £100 to the undertakers for the masts and am to pay them £200 more on the first day of December, which will be due before this letter can reach your Lordships hands. Therefore I desire your Lordships will please to order that money to be paid by the Navy Board to Sir John Stanley for my use; it comes to £230 17. sterling. The money I have paid and am to pay, being the currant mony here, which is worse than sterling by 30£ p^r^ Cent.

There is also £467 7. New York mony, or £359 10 6 sterling, which I have laid out for ship timber, part whereof I have sent home in the ship Fortune, and the remainder shall be sent home in spring. I desire your Lordships will please to order the said sum of £359 10 6. to be paid to S^r^ John Stanley for my use. If your Lordships like the timber I have sent in the Fortune, as I doubt not but you will, I make no question but to furnish ship timber hereafter abundantly cheaper than this has cost. I was at Boston when I writ to have this timber provided, and the person I writ to imployed carpenters at day's wages, whereas he ought to have agreed by y^e^ great, or so much per foot. Besides this parcell was the first that ever was provided for the King in this Province, and first essays of this kind are always more chargeable than when men are us'd to such a thing, and know how to value their labour. If

your Lordships order me to provide more ship timber I do not doubt but to furnish what quantity and of what scantlings you please, at least £30 p^{r} Cent cheaper than this I have lately sent in the Fortune.

I am with respect
My Lords
your Lordships most humble
& faithfull servant
BELLOMONT.

New Yorke
23 Nov^{r} 1700

Earl of Bellomont to the Lords of Trade.

[New-York Entries, D. 137.]

To the Right Hon^{ble} the Lords Commissioners for Trade and Plantations

My Lords.

My last letter to your Lordships was of the 28th of last month by the Newport Frigat and gave you an account of the mutiny of the souldiers. The gate of the Fort was but shut the moment they attempted to march in, led on by corporal Morris, since shot to death for his mutiny and with him Robert Cotterel who had been an Ensign in the late King James's Popish Army in Ireland. The Court Marshal condemned four to be shot, but I sav'd Rich^{d} Fleming and Jonathan Wilford.

The whole proceeding of the Court Marshal is (N° 1) which will best inform your Lordship of the nature of the evidence, and behaviour of the Court. Four of the members of the Councill made part of the Court Marshal as the Act directs, which we pass'd this last session against mutiny and desertion; and they were so very timorous that after they had tryed and condemned the above four men to be shot, they were afraid the sentence should be put in execution, and therefore addressed me that the execution might be respited; as by their Address (N° 2) and at the same time they delivered me a paper of reasons on which their said Address was grounded, and the said paper is (N° 3) I ask'd those four gentlemen of the Council why they consented to the Act for punishing Mutiny and Desertion since they were afraid of it's being put in execution. But it seems some of the lawyers here had put it in their heads that in time of peace it was against the law of England to exercise martial law, and that they ran a hazard of being ruined if the Mutineers suffer'd death by their judgment. The Lawyers here they knew very well, I told them, broke English laws every day, and were disaffected to the present Government of England and therefore they ought not to give credit to them. Besides, I told them, I was sure those lawyers had no tenderness towards the criminals, but they hoped that our impunity to those men would quickly cause another (and a worse) mutiny, and to see the soldiers turn instruments of mischeif and confusion was what the lawyers here expected and wished for. I send your Lordships a copy of the King's instruction to me to incourage the passing an Act by the Generall Assembly of this Province for punishing Mutiny and Desertion (N° 4) I sent your Lordships an Act for that purpose, which we pass'd here in April or May was twelvemonth; it was drawn by M^{r} Graham, but

when I would have tryed three deserters when I was last at Albany by that Act I found it defective, for Mr Graham has therein referr'd to an Act pass'd in England during the late War for punishment of those offences, and he has not nam'd the Year wherein that English Act pass'd; and the Act for punishing mutiny and desertion in England having been renewed every session of Parliament and generally with some variations too, I would not venture to try those deserters at Albany by Mr Graham's Act. This last Act pass'd this last session was drawn by Mr Gouverneur the Speaker of the House of Representatives and myself, and we therein followed as near as we could the Act of the 4th and 5th of King William and Queen Mary. It was a happiness that the Act pass'd so seasonably to punish some of the mutineers

I send your Lordships a list of the Acts we pass'd this last session (N° 5) they are six in number and sent by this conveyance. The Act that stands second in the list repeals that which I sent your Lordships last by the Newport Frigat, and gives His Majesty a £1000 by a land Tax, and there being £500 raised by that, which I then sent home, the King will have the summ I demanded of the Assembly at my coming from Boston which was £1500 for building a fort at the Onondages country.

I have not seen Mr Graham these three months; he has been and still is at his house eight miles off, and pretends himself sick, but was not so sick but that he had like to have plaid me a trick and have lost me this Mony-Act I now send your Lordships, and if I had not been very circumspect I had lost it without resource. Mr Graham's talent is at a trick; he has endeavour'd to play me a great many, but I have been always on my guard with him. If another Attorny General were not to come from England I would have remov'd Mr Graham some time since, for his neglect and falshood & doing no manner of service in his post for more than a year past. I will give Mr Popple the trouble of an accusation against Mr Graham by this conveyance and if at any time there be an occasion for it, Mr Popple will be able to lay my charge against Mr Graham before your Lordships.

In my letter of the 24th of last month by the Newport Frigat I gave your Lordships an ill piece of news of my messengers being stopp'd, whom I sent to open a trade with the Dowaganhas and other remote Indians and that by our Five Nations, who were put out of humour by some of those Indians falling on and killing some of ours. The Newport was no sooner gone when there came a message to me from the French Coureurs de Bois, by John de Noyon and Louis Gosselin two of their body, whose memorial is (N° 6.) which will let your Lordships see what they propose. I acted cautiously with them, not knowing how sincere they were; but I am apt to believe that they were sent by those hunters because that at my first going to Albany Jean Rossie a Frenchman and Samuel York who both came from Canada at different times, told me some of those hunters had spoke to them & assured them they would come and offer me their service and quit Canada for ever. — These two men De Noyon and Gosselin confirmed to me the account I writ your Lordships of Captain Courtemanche's going with 30 men to the Dowaganha's Country to call home the French hunters and offer them the Governour of Canada's pardon: but they assured me those hunters are firmly resolved not to trust that Governour nor accept of his pardon, if they may be receiv'd and protected by me.

If I could manage our Five Nations to my mind I make no manner of question of fixing a trade with the Dowaganhas Ottowawas and all those remote Nations which the French have gain'd a trade with; but we have at Albany some men as angry and disaffected as any are in New York; and those men are industrious to the last degree to crosse all my measures with the Indians; but they do it so cunningly that I cannot prove it upon them.

Mr Livingston assur'd me that to his knowledge there was a pact or league between Coll: Schuyler, Major Wessels, Mr Dellius the late minister of Albany, and as he thought one Banker made the fourth man, and some of the principal Sachems of the Five Nations, whereby those Sachems oblig'd themselves to transact nothing of business without the privity and approbation of those four men; and that they had made several presents to the leading Sachems at the King's charge. Those four men and one Pinhorn were they that Coll: Fletcher granted the Mohack's land to. But that which made me mention Collonel Schuyler and some of the rest of his faction, in this place is, the reason I have to suspect they have been infusing a jealousy into the Indians; insomuch that they are now grown averse to our building a fort at Onondage. Collonel Romer is returned from viewing that country and assures me the Indians entertain'd him coldly and rudely, and the chief Sachem of that Nation whose name is Decanissore advis'd or rather caution'd him not to begin the Fort till all the Five Nations were consulted in it. Collonel Romer's account of his expedition is (N° 7) and Mr Hansen and Mr Van Brugh's journal (N° 8) These two last are Commissioners appointed by the Assembly to inspect the building of the Fort. Their journal seems to me the most methodical of the two. If Collonel Schuyler and his party have been playing tricks with the Indians to put them out of conceit with our building a fort in the Onondages country, as 'tis not doubted but they have, I think it is the greatest piece of insolence imaginable and may prove of very ill consequence to the publick; they knowing too that the King has approv'd of a Fort there, and that I have His Majesty's commands to build one. Collonel Schuyler is brother in law of Mr Nichols, who is the most sensible man of the party, and the hottest, and if Nichols's influence on Schuyler will push him on to put the Indians out of conceit with a Fort, Schuyler will not fail to do it, who is said to be entirely govern'd by Nichols in every thing. And after all if the Indians be unwilling, 'twill be impossible to build a fort any where in their country.

Mr Livingston was as active in opposing a fort in the Onondage's country as any body, and was the man that penn'd the Albany Address to me against it.

Collonel Romer is mightily discouraged because the Officers of the Ordnance will not comply with the King's commands in allowing him 30s a day, as he had when he left England. He is resolved to go to England in spring, and there will be a necessity of sending over another Engineer immediately. But if the Board of Ordnance send over such an one as they would have sent with me, before they had the King's positive order to send Collonel Romer, they had better send none. Collonel Romer has got a rupture, which the Physicians here say will kill him if he goes not to England to be cured.

Your Lordships lately proposed to me the trying to make tar with the souldiers, but you cannot believe that when they mutiny for English pay and without working, they will be contented to work for less than English pay: 12d Sterling pr day is, I am confident, the very least reward that can be given them while they worke. The people in New England are as penurious as any I have met with, and last May's session the Captain of the Castle was questioned by the Assembly why he had no better men in garrison; his answer was that no good men would serve for that pay, which was then 5 shillings per week for each private centinel, besides meat, drink and lodging; whereupon the Assembly order'd 6 shillings per week for each private man's pay, besides meat, drink & lodging, and I was present when the agreement was made for the souldiers diet, vizt 3s 6d per week each man all summer and 3s 9d per week all winter. Now take each man's weekly pay and subsistence together and it makes 7 shillings sterling per week; and I proposed but 6 shillings sterling for each souldier per week

in my scheme. I desire your Lordships will consider this maintenance of the Boston soldiers. and then whether it be reasonable or honest to impose such a hardship on the officers and soldiers here as a deduction of 30£ p^{r} cent, or whether it can be expected they should work (the souldiers I mean) at that rate.

Shall I venture to offer your Lordships my advice by way of scheme, how to put these four companies on a better foot than they are at present, and that with little more charge than the King is at now. The truth is we want more Captains to keep our souldiers in better order; 'tis the wisest thing the French do in their whole military discipline to have their regiments double and sometimes treble officer'd. I should humbly advise then that our four Companies were made eight, and regimented; the King may make me Collonel or who else he pleases, the Lieutenant Collonel I would have to be Lieutenant Governor of New Hampshire, and the Major made Governor of Albany, where the people are very lawless and unruly. There are a great many worthy Gentlemen and good officers at half pay now in England; let some of the best of them be put into the posts I have been naming then there will be room for a Lieutenant Collonel a Major and two Captains. I would have a particular care taken in the choice of these Officers that they be men of good military skill and sober discreet men, and I would have the feild officers and captains to be of the Council in this Province and New Hampshire. One of the Captains I would have to be a good Engineer. In case of such an Establishment there will be need of four Lieutenants more, and two of them I would have to be good Master gunners for this fort and Albany. I believe this is so reasonable a proposal that I fancy the King would easily consent to it. I am sure it would be greatly for His Majesty's service.

The best course I could take for securing our 5 Nations were to go and live a year at Albany where I would watch the behaviour of Collonel Schuyler and his associates, and let the Indians see that the King has entrusted me with the management of them, and not Schuyler and his freinds, as I have been told he and they suggested to the Indians. I could by that means too prevail with them to let me build a fort in their country, and without a fort in the Onondages country I am clearly of opinion I shall never be able to ingage the remote nations of Indians to come and trade with us; for our 5 Nations will as often as the others bring their peltry towards us, intercept and cut them off; which, besides the hindrance it will be to their trading with us, will maintain a constant hatred and war between those Nations and ours, that in a few years will end in the total extirpation of ours, and the Governour of Canada will lend a helping hand to it.

I must be so free with your Lordships as to tell you that unless care be taken to provide an honourable maintenance for me, and certain, I must go to Boston next spring to make sure of their annual present of a £1000 that mony. I were to blame if because I am neglected at home, I should neglect myself here.

I acquainted your Lordships in one of my last letters by the Newport Frigat that there was no attempting to make tar here till the Act for vacating some of Collonel Fletcher's grants were approved by the King; and the same thing I must tell your Lordships again, nor can I cut one stick of timber for the King's use till then. The ship timber I sent home in the ship Fortune was cut on the land granted to Captain Evans by Collonel Fletcher, and while it was shipping, one Janeway comes from England (who had been Purser of the Frigat commanded by Evans and pretends himself Evans's attorny) and threatens to arrest the timber, and to sue M^{r} Latham that cut it, for damages. Latham is so frighted that he has been twice or thrice

with me about it. Your Lordships may judge whether I can be easy when I am no better supported in the execution of the orders I receive from England.

Certainly the Parliament of England who have not scrupled breaking through all the Irish grants last session, will not hesitate a minute to break all the grants made by Collonel Fletcher. There's a world of difference between grants made immediately by the King and some not without a valuable consideration, I mean where the Grantees had done faithful services to the crown, and grants of almost a whole Province by an upstart corrupt Governour. In my opinion that matter ought to be laid before the Parliament and let them judge which will most import the nation, to be furnish'd from hence and New Hampshire with Naval Stores and Ship timber, or to justify Fletcher's corrupt sale of ¾ parts of the lands in this Province, and Collonel Allen's pretension to all the lands & woods in New Hampshire and a good part of the Massachusets Province. Now that I mention Fletcher's sale of the lands, I must acquaint your Lordships that M^{r} Penn when he was here, told me that he was visited by Colonel Bayard, who told him he paid Fletcher a £150. for his grant of lands. I must also acquaint your Lordships that there are two or three grants by other Governors before Collonel Fletcher that are extravagant too.

I have made a bargain with two men for masts, incouraged thereto by your Lordships direction; which if they perform will prove the best bargain for the King that ever was yet made. I send your Lordships a copy of the articles between us (N° 9) of the bond for performance of the articles (N° 10) of my instructions to M^{r} Schermerhoorn and Beeckman the undertakers (N° 11) and a paper wherein I have compared in three distinct columns the prices paid to M^{r} Taylor for masts of those sizes, the prices propos'd by M^{r} Bridger in a paper I sent your Lordships with my letter of the 22^{d} of June last, and my prices as per these articles. The articles bond and instructions are my own drawing, for I was forc'd to venture at the drawing them myself to keep this design secret from some ill people at Albany, who are wicked enough to hinder the good effects of such a bargain by persuading the Mohack Indians either not to part with their woods to the King or to hold them up at an extravagant rate: the said paper of prices is (N° 12) Some of the people of Albany upon my sending M^{r} Latham and these two undertakers last year to view those woods, began to practice with those Indians and perswade them that each of those great pines for masts was worth 50 beaver skins. M^{r} Latham assures me there are pines enough in those woods on the Mohack's river to furnish the navy these thousand years to come. The 24 masts I have articled for will serve a first and second rate man of war; the biggest in M^{r} Taylor's contract was 37 inches diameter, as your Lordships will see in the paper of his prices which I sent you with my said letter of the 22^{d} June. I have agreed for 2 masts of 40 inches diameter which will be a rarity when sent home. These pines I fancy will be found to grow on M^{r} Dellius's grant in partnership with Colonel Schuyler, Major Wessells, Captain Banker and M^{r} Pinhorn; therefore it behoves your Lordships to get that Act confirm'd by the King, which vacated some of Fletcher's grants. I wish your Lordships when you directed me to send masts from hence, had also proposed a fund out of which they should be paid for. I have been forc'd to borrow some of the mony from the Collector, which was granted by the Assembly for the fort at Onondage to advance to the Undertakers for the masts. The first of Aprill there will be £600 New York money paid to them, which will be about £400 sterling and for which I must draw bills on the Navy Board, which I will do at a month's sight, and inclose them to your Lordships that they may be surely answered.

This bargain of mine for masts reveals the mystery your Lordships desire me to resolve you, in your letter of the 19th of last April; for if I procure that the King shall have his masts from hence for one fourth (or near it) of the prices paid to Mr Taylor, 'tis a sure argument that the King was not well used in the contract with Taylor; and that is the mystery I meant.

I cannot but flatter myself that this bargain for masts is a very valuable service to the King and all his dominions; for here is a sufficient store for all, and I hope your Lordships will recommend it as such to the King. I believe I shall save the King £15000 a year in the articles of masts, boltsprits and yards, and more.

I desire your Lordships will order a fly-boat or hag-boat of 500 ton to be here by the last day of April next, and I will load her with masts and principal ship timber, that shall be worth to the King at the rate he now pays, £4000, over and above all charges; if these undertakers furnish me with boltsprits and yards as well as masts, as they have promis'd to do, and I am myself to set the prices of the boltsprits and yards. Such a fly-boat that fair weather season may be sail'd with 20 hands. I find Mr Bridger was out of the way in allowing 35 men to navigate a ship of 500 tons, they laugh at him here for it, as they do for valuing knee-timber & standards for a ship of war at half a crown a foot, when Mr Latham and some other shipwrights here are positive that knees and standards for merchant ships never sell under four shillings a foot in England, and five shillings a foot for a man of war.

I send your Lordships a list of the militia in this Province (N° 13) of the Militia in the Massachuset's province (N° 14) and of that in New Hampshire (N° 15) The Militia officers in this Province have been so particular as to send me all the names of the private souldiers, but those in Massachusets have only return'd their own names with the number only of souldiers (and not their names) in each regiment, and the same course those of New Hampshire have taken. I much question whether the militia in Massachusets province be so numerous as 'tis return'd on the list.

I send an Address of the House of Representatives of this Province this last session about the bounds between East Jersey and this Province (N° 16) and desire your Lordships will please to give some order therein.

Last May's session at Boston we pass'd 12 Acts of Assembly, which I doubt not but Mr Addington the Secretary has long since transmitted to your Lordships. We were much applied to by the Indians, who I think are barbarously treated in many parts of that Province, but little was done for their relief. The Act which stands the 9th among those we pass'd and which is called, An Act for preventing abuses to the Indians, has a specious name, but the House of Representatives left out the most useful clause in it, which clause is (N° 17) The Council were unanimously for this clause to stand in the Bill, but the other House would not endure it. One remarkable fraud I must observe to your Lordships that was put on the poor Indians on Nantucket Island. The Representative that serv'd for that Island (one Mr Coffin) came to sollicit me and the Council to pass an Act to restrain the Indians on that Island from trading with Rhode Island; the Indians had before complain'd to me how hardly they were used by the English, and Mr Coffin own'd the whole matter there, viz^{t} that the (the English) had bargained with the Indians that half of the Island should be for the use of the Indians to sow Indian wheat on, but that when the crop is off the land, the grasse of that land is to belong wholly to the English; so that these Indians now that they would keep cattle and live as the English do, are not able, or rather are not suffer'd so to do. This is such a circumvention and fraud as ought not to be suffer'd and so I told Mr Coffin before the Council,

and I declared I would not give the assent to any Bill that should put a further hardship on those Indians. Nantucket Island is much commended for goodness of soil, and there is great store of sheep on it; 'tis 16 miles long and 6 or 7 broad, the English there are 300 souls and the Indians 800, and said to be the soberest best sort of Indians in America. There are I fear many such instances of harshness to the Indians in that Province which is not the way to propagate Christianity among them. At my first going to Boston a multitude of complaints were brought me by the Indians from all quarters of that Province; they called me the great Governour and expected a speedy redress of their wrongs; but I had not the power of doing them right. The better sort of people there are troubled for the Indians, but are not able to help them.

I shall now say something to the trade of these Provinces under my government, to shew the present loose ill management of it. But first I will explain my meaning in my letter to your Lordships of the 22^{d} of last June, where I say 'tis demonstrable these Plantations are capable of imploying a 1000 good ships of burthen, and 20000 seamen, more than are at present imployed by England. I have thought of that position of mine very much and I cannot but be of the same mind I was then, viz^{t} that by due encouragement to the two following articles of Naval stores and cultivating vineyards, to furnish all the dominions of the Crown with wines of our own growth, the proposed improvement and increase of shipping and seamen will be accomplished. Under the head of Naval Stores I suppose tar, pitch, rozen, turpentine, oil of turpentine, ship timber of all sorts, as planke and compass timber, masts, boltsprits and yards. I have in many of my letters recommended to your Lordships the article of Naval Stores and ship timber, so that I will say no more on that subject, but to put your Lordships in mind that Collonel Nicholson & M^{r} Penn believe that ship timber may be sent to England from these plantations with good advantage, as appears by one of the heads contained in the paper number 27 and sent to your Lordships with my letter of the 17th of last month. My Lord Bacon in his essay on Plantations expresses himself in such a manner as if he had in view England's being furnished with naval stores, timber, pot-ashes and silk from America; and I am of opinion all those several species may be plentifully furnished to England from these plantations, if care were taken to incourage the design in the beginning. 'Twere rashness in me to declare this upon my own single judgment, but men of the best experience and knowledge in these Provinces agree with me in opinion that what I have now offer'd is practicable.

As to the propagating wine in these Plantations to supply all the dominions of the Crown, I can easily make that appear. In the first place Nature has given us an index in these Plantations that points to us what may be done in that by the help of art. There grows wild grapes in all the woods here in very great abundance; I have observed them in many places but especially above Albany on the side of Hudson's River where the vines all along twine round great trees and fair clusters of grapes appear sometimes above 30 foot from the ground. I have eaten of the wild grapes which I thought were tasteful enough, only somewhat harsh as an effect of their wildness. In the next place experience tells us that good wine has grown in the Naraganset Country, where several French families seated themselves and where (as I have been credibly informed by some Frenchmen) there would have been by this time above 500 French families, had they not been most barbarously persecuted and driven away by the people of Rhode Island. The French found the climate and soil in the Narraganset country proper for vineyards, and that disposed them to settle

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Last April I examined the Registers of all the vessels in the three Provinces of my Government and found there then belonged to the town of Boston 25 ships from a 100 ton to 300; ships about a 100 ton and under, 39. Brigantines 50 Ketches 13 and sloops 67: in all a 194 vessels; to other towns in that Province there belonged then about 70 vessels of all sorts whereof 11 were ships of good burthen. To New Yorke there then belonged 6 ships above and 8 under a 100 tons; 2 Ketches, 27 brigantines and 81 sloops. To New Hampshire at that time 11 ships of good burthen, 5 Brigantines 4 ketches and 4 sloops. I believe one may venture to say there are more good vessels belonging to the town of Boston than to all Scotland and Ireland, unless one should reckon the small craft such as herring boats.

Their staple in the Massachusets Province is the fishery, their codfish consists of three sorts, viz^{t} marchandable, midling, and refuse. The marchandable is subdivided into great marchandable and little. The great marchandable they send to Bilboa and Cales; the little, to Lisbon and Oporto. The median or midling fish they send to the Canaries the Madeiras & Fial, and also to Jamaica. The refuse Cod they send to Barbadoes and the Leeward Islands. They compute at Boston that they ship off 50000 quintals of dry fish every year, about $\frac{3}{4}$ wherof is sent to Bilboa. Last year the fish sold for 18 shillings a quintal on the Coast where 'twas taken, and this year it has fallen to 12 shillings a quintal, mony of New England. I ask'd the meaning of the fall of the price, and the merchants told me they knew no other reason but that the French fishers had glutted the markets abroad. Cod that's taken on the coast of this continent yeilds 2 shillings a quintal more at Bilboa than that which is taken of Newfoundland, because 'tis taken all winter and in cold weather is better cured. There are other sorts of fish which they salt and send to foreign markets viz^{t} hake hadock and polock and some mackel, which are much larger than I ever saw in England.

The merchants reckon upon £50 p^{r} Cent by the returns they make for their fish from Bilboa to Boston, and when they return their mony from Bilboa to London and there invest it in goods for Boston, they then reckon upon cent p^{r} cent profit.

Some fishermen have been sent this last spring and summer to try all the Coast of this province for cod, and the coast of Rhode Island, but could find none. I do not find there is any Cod to be found to the Westward of Cape Cod, which is in the Massachusets; so that if we make out our Eastern bounds as far as the River of S^{t} Croix, yet the French will have thrice as much of the fishing coast as we shall: they will have all the coast of Nova Scotia the Bay of Fondi, along the Isles of Cape Breton, Perci and Antecosta and the Gulph of St Lawrence. If these Plantations be not restrain'd from carrying ship timber to foreign markets, it will mightily hurt our fishing: 'tis our fishing that breeds the hardy seamen.

The Bostoners may be said to be the carriers to most of the other plantations; they carry too from Boston, horses and lumber to Barbadoes Jamaica and the Leeward Islands.

I endeavour'd when I was at Boston to find out one year's imports and exports, that I might compare the trade of that province with this of New Yorke and with New Hampshire; but I found greater uncertainty in that of Boston than the other two. The Deputy Collector there is Commissioner of the Imposts; he it is that takes an account of the entries of all goods. I mean as he is Commissioner of the Imposts. He told me that when ships come in, the Masters swear to their manifests (as he call'd it) that is, they swear to the number of parcels they bring but the contents unknown: then the merchants comes and produces an invoice, and whether true or false 'tis left to his ingenuity. The said Commissioner at my desire took an account of all goods imported from England to Boston from the 1st of March 169$\frac{8}{9}$ to the

1st of March $\frac{1699}{1700}$. and according to the several invoices, those English goods in that year amounted to £120000 Boston mony. He said he believed there came in bonâ fide about £30000 more. Collonel Courtland tells me there was this last year imported at 2£ pr Cent (which is the duty on English goods) here at New York to the value of £60000. the said duty having amounted to £1200 this mony.

Piscataway in New Hampshire would in some years excell Boston in the fish trade if they were denyed the liberty of carrying ship timber to foreign parts; they are much better seated for the fishery than Boston is.

Some merchants at Boston with whom I discours'd sometimes about the trade of that Province and what proportion it carryed with the trade of New York and that of New Hampshire, computed that Boston had four times the trade of New York, and New York four times the trade of New Hampshire; but I afterwards examined the entries and clearing of all the three Custom Houses and found that the trade of New York was almost half as much as that of Boston, and the trade of New Hampshire (except for lumber and about 1300 quintals of fish) not the tenth part of New York, from the 25th of December .98 to the 25 of December .99.

If it were not for Collonel Fletcher's intolerable corrupt selling away the lands of this Province, it would outthrive the Massachusets Province and quickly outdoe them in people and trade. The people are so cramp'd here for want of land that several families within my own knowledge and observation are remov'd to the new country (a name they give to Pennsylvania and the Jersies;) for, to use Mr Graham's expression to me and that often repeated too, what man will be such a fool to become a base tenant to Mr Dellius Collonel Schuyler, Mr Livingston (and so he ran through whole role of our mighty landgraves) when for crossing Hudson's river that man can for a song purchase a good freehold in the Jersies? But Mr Graham has since changed his note and turn'd tail; but his being false to the King does not make the breaking all these grants less honest or less necessary for the publick good.

Now that I speak of the lands of this Province I must acquaint your Lordships that Mr Ranslaers grant of 24 miles square, in the centre of which stands the town of Albany was not of Collonel Fletcher's passing, neither was Mr Livingston's, of 16 miles long and 20 or 24 broad. Mr Nichols I am told has as extravagant grants as any, that his land reaches 30 miles in length on Nassau Island, which is the prime part of this Province. I know no merit Mr Nichols has, except his being broker between Coll. Fletcher and the pirates, and being disaffected to the government, and the chief incendiary and author of faction here, may pass for vertues; otherwise his grants ought to be looked into as soon as any of the rest. If I am rightly informed, here will be a world of corruption and fraud discover'd in most of these extravagant grants, not only in respect of their vastness, but because they have swallowed up the lands of abundance of private families, who are thereby ruined. Some bills were offer'd me the two last Sessions of Assembly (besides a great many petitions) which I refus'd giving the Assent to, till the Judge and Attorney were come from England to make a strict inquiry into the titles of lands, and advise the best method for doing justice in that case.

I have already writ to your Lordship all that has occur'd to my thoughts of the state of the trade in my three governments. I will now observe the mismanagement of it; and in a word I believe no part of the King's dominions is under so loose a management as these three Provinces are, or that practise unlawfull trade so much. I have some reason to believe that all their returns at Boston from Spain and Portugal for the fish they send thither, are not hard pieces

of eight, as they would perswade the world, and that they will not want the product of those countries the shortest and cheapest way, which to be sure is not by the way of England. There is a great trade between Boston and Newfoundland, and I have been told there is a constant trade between S^{t} Sebastian and Newfoundland and that there is great store of French and Spanish wines and Spanish iron in Newfoundland. If the merchants of Boston be minded to run their goods, there's nothing to hinder them. M^{r} Brenton the Collector is absent and has been so these two years; his deputy is a merchant, the two waiters keep publick houses, and besides that, that Coast is naturally shap'd and cut out to favour unlawful trade, as well as this of New York. The town of Boston for want of a due regulation is also contriv'd for that purpose. I sent M^{r} Shanon the Naval Officer to take an account of the wharfs or landing places in Boston and Charlestown which is opposite, Charles river running between, and he brought me a list of 63 wharfs in Boston and 14 in Charlestown. 'Tis a common thing as I have heard to unload their ships at Cape Ann and bring their goods to Boston in wood boats. There is also a constant trade carryed on between Boston and Quebec, Port Royal, Fort S^{t} John and Penobscot River, where one Monsieur de S^{t} Castin lives. I have more than ordinary reason to beleive this: a certain merchant at Boston having made me the compliment to offer me a partnership with him in that trade, which he said would be very bneficial, but I refus'd to be concern'd. He afterwards own'd to me he had £2000 worth of English goods proper for the market in Canada: and when I was last at Albany some Mohack Indians revolted to the French, brought some peltry with them from Canada to truck for duffles and strowds but complain'd of their dearness and said that English woollens were much cheaper at Quebec and Montreal than at Albany, and that they would carry their peltry back to Canada; which for ought I know they did.

The Governour of Canada has no such complaisance for us; the peltry trade is prohibited under a great penalty; that Governour had guards a great way within our bounds this year to prevent it; and to give a further proof of that Governour's caution therein, I send your Lordships the copy of his passe to l'Esperance a Frenchman, who came to look after a brother of his taken prisoner during the late war, wherein he is forbid to bring away any peltry from Canada; the said passe is (N^{o} 18.)

Here at New York the merchants run all the goods they can, and too much unlawful trade there is. That from Madagascar seems to be at a stand at present, and I think piracy too is in it's wane. The merchants here are very angry at my ordering both the Frigats this last summer if they met any ships in their cruise coming from Madagascar to search them, and if they found any pirates or their goods on board, to seize and bring in the ships to this port. At that time there were 3 Madagascar vessels expected, and least the Frigats should meet them their owners sent out, as I am told, no less than nine sloops to cruize without the Frigats to give their ships notice, which put them to a great charge. Soon after the news came that one of the Madagascar ships (belonging to Frederick Phillips) was taken by one of our East India ships, and the two others by pirates. This put our merchants a madding, and their rage redoubled against me, as if I had been the occasion and means of that and all their losses, and 'tis said they curs'd me plentifully. I have watched the ships trading between this place and Holland, as nicely as I have been able, but never could find they traded thither or from thence hither without touching & clearing in England, as the law directs. Therefore I am apt to believe D^{r} Davenant is mistaken (and his author too Sir Josiah Child whom he quotes in the 2^{d} part of his Discourses on the revenue and trade of England) in what he there

advances of an unlawfull trade carryed on between the Menades and Holland.—Menades is the French name for this Island of New York, taken I suppose from the Indian name Manhattan. There is a considerable trade I know from hence to Curoçoa and Surinam for flower, pork peas and other provisions and the vessels that carry them to those places pretend always to return in ballast.

There is a town called Stamford in Connecticut Colony on the border of this Province, where one Major Selleck lives who has a warehouse close to the Sound or Sea, that runs between the main land and Nassau Island. That man does us great mischief with his ware-house, for he receives abundance of goods from our vessels, and the merchants afterwards take their opportunity of running them into this town. Major Selleck receiv'd at least £10000 worth of treasure and East India goods brought by one Clarke of this town from Kid's sloop and lodg'd with Selleck. I can have no account of them: Clarke was a prisoner here on that account and gave security that he would make an ample discovery upon oath how all that treasure and the goods were dispos'd of, but I have not seen him and whenever he appears he is supposed so profligate that he will not value what he swears.

I send your Lordships an estimate of Collonel Romer's, of the charge of fortifying the frontier of this Province and of the country that lies Eastward of Massachusetts Province. The said estimate is (N° 19) how necessary those fortifications are, and how the mony is for building them, must be submitted to your Lordships. Piscataway is a most noble harbour, lying full upon the main sea; the entrance into it is 14 fathom deep at low water and 19 fathom deep in some places within the harbour; and up at the town of Portsmouth the biggest ship the King has will lye against the bank of the town; so that if ever England should think it a good point of husbandry to build ships of war cheap, Piscataway will be the properest place for it. I know that at Boston they pretend to build merchant ships 40p^{r} Cent cheaper than they could be built in England, and why the same proportion should not hold in ships of war I cannot conceive. King Charles the 2^{d} having complimented the French King with the draughts of our best ships and thereby given vent to that precious secret, there will no objection lye against building ships of war at Piscataway: but more of that hereafter. The reason why Collonel Romer and I agreed it would be necessary to bestow more cost than ordinary on the Fort at the river of S^{ta} Croix and at the extremity of our frontier in this province nearest to Canada was because those two Forts will be most exposed, and more especially that at S^{ta} Çroix, because thither a fleet or squadron of ships can come and help to attack the Fort. The harbour of New York ought to be well fortified, or 'tis odds if this town be not laid in ashes the next war we have with France.

Last session of the Assembly at Boston the Petition (N° 20) was deliver'd me and the Council, by the Ministers of the Church of England and Vestry Men. Your Lordships upon perusal of it will best judge whether the prayer thereof was reasonable. The Council would give it no countenance; they said the Act against incestuous marriages was found to be good and usefull, and that the King had been pleas'd to approve and confirm it in England, and they did not see cause for breaking in upon a good law, to please the humours of a few men. The truth is, as I have been informed, some loose people have sometimes come from England and married in New England, though they had left wifes

behind them in England, and this law was calculated cheifly for prevention of such marriages. If a Minister of the Church of England will be at the pains of going to any town or place to marry people, no body will hinder him.

If it be intended that Naval stores and masts shall be sent from these plantations, there ought to be a quick and vigorous course taken to vacate all these extravagant grants of Fletcher and other Governors, and to destroy Collonel Allen's pretension to New Hampshire and part of the Massachuset's Province. I am made very uneasy and kept at bay here with the angry party, by the want of spirit in the Administration at home. For the Ministers sending me orders and afterwards not standing by those orders and not quickening the execution of them, is a most cruel thing.

'Tis very unhappy too that the Judge and Attorney General are suffer'd to loyter so long in England; things are either contriv'd or fall out crossely to make me uneasy. I am sure I would not stay an hour here if I could be certain there were any contrivance to make me so.

I have paid the four Companies fifteen month subsistence, officers souldiers and victuallers, from the 25th of March 99. to the 16th of last June.

Ever since the arrival of the Advice Frigat with the recruits I have been forced to pay all the Officers and souldiers their weekly subsistence in ready mony which I find gives them much better content than formerly when they were in the hands of the Victuallers.

I send the copy of my letter to the Lords of the Treasury (N° 21) wherein I submit M^{r} Weaver's Bill of Exchange and his account to their Lordships; and the same I do also your Lordships, and desire you will please to direct whether I with the Council of this Province shall allow his account, especially that article which relates to his salary as Collector of this Province, during all the year and half that he has staid away from his duty. My said letter to the Lords of the Treasury will acquaint your Lordships with the state of that matter. M^{r} Weaver's bill of Exchange is (N° 22.) and his Account (N° 23)

I send the copy of my letter to the Commissioners of the Customs (N° 24) and of my letter to the Lords of the Admiralty. (N° 25.)

I send the muster rolls of the Companies (N° 26)

I send the copy of M^{r} Armstrong's letter to me (N° 27.) which letter I have newly received. M^{r} Armstrong is Naval Officer of New Hampshire. You will there find how M^{r} Patridge the L^{t} Governor proceeds in the trade of ship timber to Portugal, notwithstanding I sent him a copy of that paragraph in your Lordships letter of the 19th of last April, wherein your Lordships express your dissatisfaction at his being concerned in such trade, and direct me to put all the discouragement upon it that I can, without violation to law. He writ me word he was sorry he had given any offence to your Lordships: which, by what I now perceive he meant as a jeer, since he proceeds to carry on the same trade. I desire your Lordships will consider whether it will not be proper to recommend the passing an Act of Parliament this session to prohibit that trade in all the Plantations, the ill consequence whereof I have already offered your Lordships my thoughts of, and by all means I am humbly of opinion M^{r} Patridge ought to be remov'd from that station, which is too honourable for him and he no way qualified for it. I could easily send the Frigat that's here, to Piscataway and stop his two ships, but then I shall be lyable to be sued by Partridge and the merchants in London that are his correspondents, since there's no statute to justify me. Now that I am mentioning M^{r} Partridge's correspondents I must undeceive your Lordships of a wrong suggestion in their

petition Mr Crouch and Mr Tatem were the petitioners to the King in Council, and in their petition among other reasons to induce the King to approve of that trade to Portugal they give this for one vizt that those ships when they have unloaded their timber in Portugal, they then take in a loading of wine and other productions of that country and carry it to England; which they say increases his Majesty's customes; but 'tis well known that the vessells that carry fish to Spain and Portugal drive that trade of carrying wines and other commodities to England, as often as they can light on that freight thither. And I hope there's no comparison between the advantage England receives by the fish trade to those countries and this new trade, which will prove hurtfull to England on many accounts as I have before observ'd.

I desire your Lordships will please to direct me how I am to behave my self with Mr Patridge; and it were worth while to dispatch away a small frigat or advice boat with your orders, that they may overtake Patridge's two ships before they sail. We shall never be able to turn a trade to England for ship timber so long as that trade of Mr Patridge (and of others by his example) is suffer'd to Portugal, where to be sure ship timber must bear a much greater price than in England, because Portugal is not a wooded country. I remember I rebuk'd Sir Henry Ashurst in the Privy Garden at Whitehall for procuring Mr Patridge to be made Lieut Governor of New Hampshire, who is a carpenter by trade and a sad weak man. I told him his genius had a strong byass to Carpenter-Governors, for he it was (with Mr Mather) that got Sir Wm Phipps made Governour of New England.

I must acquaint your Lordships that in the year .95. the merchants of Boston were incouraged to send over a ship-load of several sorts of ship timber for an experiment. I was at the pains when I was at Boston to inform my self particularly of that matter. The Ship St Joseph of 300 ton was loaded, but met with all the rubs and stops that could well have happen'd. First she lay 3 months loaden, waiting for a convoy; then she had a very tedious passage and was forc'd by contrary weather into Milford Haven, where she waited 5 or 6 weeks for a wind; at last getting into the river as far up as Deptford or Woolwich she lay 5 weeks there before care was taken to unload her. 'Tis plain the misfortune and delay that attended her voyage is not wholly imputable to the management of the Officers belonging to those yards, because a great part of it is owing to chance; but I believe your Lordships will be of opinion with me that 5 weeks was a very long time for a ship to lye loaded so near two of the King's yards. I have a copy of the Master of the ship's journal, and of the invoice of the timber, and the owners told me there was all the contrivance that could be by the Officers of the Yard, which received the timber at last, to disparage it and discourage any further undertaking of that kind. All this I have reason to believe to be true in fact, and to be proper for me to acquaint your Lordships of, that you may make your own use of it.

The old part of the house in the Fort here is falling down, and so is one of the souldiers barracks, and how to repair them I cannot tell; the revenue is so clogg'd with anticipations that we can apply no part thereof to those uses. The Indians are a great and a constant charge to us, as your Lordships will see by the list of warrants for payments of the revenue ever since my coming to the government, which List is (N° 28) but especially by the Abstract of those payments which is (N° 29) and shews at one view under distinct heads the grosse sums of the charge of this government and issues of the revenue. The 30£ per Cent will in time answer some part of the charge of the government, if it be continued, which I hope in God it will not, for the King's honour and good of the Officers and souldiers. With my first or second letter I

writ to your Lordships from New York I sent the Report of Collonel Courtlandt and Collonel Bayard of the necessary repairs of this House and Fort, which they then estimated at £1500. as appears by their said report. Collonel Fletcher was then here, who told me he had applied the 30 p^{r} Cent to the repairs of the fortifications; which was a most impudent untruth. The 30 p^{r} Cent amounted to about £2300 a year, as I take it, and I could never yet discover that he laid out £500 a year of all that mony for the King's service.

Your Lordships will meet with a minute of Council among those I sent by the Newport frigat which bears date the 29th of last July and allows of the charge I was at in my remove from Boston to this place, which was about £92 New York mony or £70 sterling. There are precedents for it in both Sir Edmund Andros's and Collonel Fletcher's time, who never remov'd or travel'd but at the King's charge: besides my appointments are so narrow that I must have taken that course, or not have remov'd

I send your Lordships the minutes of Council during this last session of the General Assembly

I intended [to send] your Lordships the Collector Collonel Courtland's Michaelmas books of entries and clearings, by this conveyance; but the poor man died the 25th instant, after a short sickness before his books were perfected. I send however the Naval Officer's book of Entries and clearings to last Michaelmas (N^{o} 30) and his register of ships to that day (N^{o} 31.)

I hear Collonel Allen was refus'd an appeal to the King in Council by the L^{t} Governour and Council of New Hampshire upon the judgments' being given against him at the last Superior Court, in August. M^{r} Patridge hath not thought fit to give me any account of this, but I heard it from Boston by accident. I hear too that an appeale has since my coming from Boston been refused to one M^{rs} Lydget by the Superiour Court there, in a cause wherein (if I mistake not) she was plaintiff and M^{r} Usher and M^{r} Saffin defendants. I doubt not but your Lordships will be applied to in both cases, and that you will make an inquisition why appeals were refus'd the parties.

The French have mightily impos'd on the world in the mapps they have made of this continent, and our Geographers have been led into grosse mistakes by the French mapps; to our very great prejudice. It were as good a work as your Lordships could do, to send over a very skillfull surveyor to make correct maps of all these plantations and that out of hand, that we may not be cozen'd on to the end of the chapter, by the French. And for saving charges, if that surveyor be a sober honest man, perhaps it were best to make him Secretary of the Province. I have not displac'd M^{r} Clarkson, for there's nobody here fit for that post.

One thing is very material for your Lordships to know, which perhaps you are not yet inform'd of. The only good Beaver hunting lyes in that part of the country where the Dowaganhas and those other Nations live, and thither our 5 Nations are forc'd to goe a beaver-hunting, which is one reason of that perpetual war between those Nations and ours; and that reason makes our building a fort in the Onondages country necessary, whither I believe those nations by carefull management might be brought to trade with us, and in a little time gain'd from the French. The country I speak of is commended for a most noble country by Samuel York and the French hunters that were here the other day; it lyes by their description West and North West of this Province. There are savannas or plains of a

100 miles long, the soil very rich and well water'd, abounding with wild cattle, deer, and wild Turkies, so that the Indians have plenty of provisions, without any trouble scarce to look after them.

I am with respect, My Lords
Your Lordships most humble
and obedient Servant
BELLOMONT.

I send Duplicates of the three Acts of Assembly we pass'd last August, and which I sent your Lordships by the Newport frigat with my letter of the 17th of last month.

New Yorke the
28th Novr 1700.

Memorial of Two French Bushrangers to the Earl of Bellomont.

[TRANSLATED FROM THE FRENCH.]

[New-York Papers, N. O — O. 7.]

My Lord

We, Jean de Noyon and Louis Gosselin, come to place ourselves under your Excellency's protection, in the hope that you will allow us to live and trade with King William's subjects in the town of Albany, and grant us the same rights and privileges as others enjoy, in which case we submit ourselves with promise of fidelity to the laws of the government.

We are commissioned by our comrades to assure you, if our request be granted, that twenty-two, all fine young men, will come to Albany next February.

And after that we promise to bring, in the month of September of the year 1701, thirty brave fellows to the said town of Albany, all laden with peltry.

And finally, we oblige ourselves further in good faith to bring, in the aforesaid month of September, on our return from hunting, ten or twelve of the principal Sachims of the Ottawawa Nations. Dated in New York this 26th October 1700.

DE NOYON,
L. GOSSELIN.

NOTE That the French call all those Nations to the W. and W. N. W. of us Ottawawas; as we give 'em the generall name of Dowaganhas.

A true Copy
(signed) BELLOMONT.

Colonel Romer's Account of his Visit to Onondaga.

[New-York Papers, N. O.; O. 8.]

A relation of w^{t} y^{e} Sinnekes Cajouges & Onnondages did in Canada, [on the 3rd of Sept^{r} 1700.] Dated in Onnondage y^{e} 5th of October 1700.

In the presence of — Col: Romer . Alderman Hend^{k} Hansen
Peter Van Brugh May^{r} . Lawrence Claessen Interpreter.

Sachems of y^{e} Sinnekes
Neassoehqua
Thehowaragondi
Uchors
Thonajoarn } These were at Canada.
The Sachems of the Cajouges were gone home.
Onnondages
Ohonjoane
Deagonendagigte
Dekonoshore, Speaker.
Jonigevanda, Present.

1 When our said Indians came to y^{e} Gov^{r} of Canada, he thanked them and said; Children, I thank you that you treated Mons^{r} Marricour & y^{e} Priest w^{ch} I sent to you so well: & then the Gov^{r} threw down a little chain.

2. The Gov^{r} also thank'd them that upon the coming of y^{e} Priest & Marricour & y^{e} hearing of their message to y^{e} Onnondages that would go to fight against y^{e} remote Indians, they had quitted their designe & had thrown down y^{e} Axe; then the Gov^{r} threw down a Belt.

3. The Gov^{r} said; Children, Now you are come hither, & it is a long while ago since I desired you to come; it is your own fault that so many of your Brethren are kill'd; then the Gov^{r} threw down a Belt & said, herewth I wipe of y^{e} teares of your eyes.

4 The Gov^{r} said further; Children, Now I throw y^{e} axe in a hole, & so throw him to y^{e} Devil, & no man can get y^{e} axe againe; for I lay a great rock stone upon the hole as bigg as all Canada; for this he threw down a great Belt.

5 Children Sinnekes, it is now all over peace, & I release all prisoners, & a priest is already gone to y^{e} Ottowawæs to fetch those that are there, & y^{e} next sûmer when you come to Canada you shall see them & talk wth them & try whether they will go wth you or not: upon this the Gov^{r} threw down another great Belt.

6. He said further, wee now plant a Tree of Peace, whose branches reach up to y^{e} heavens & its roots go amongst all your Nations, & if any person would cut off those roots, wee will advise about it; because Children I am not Mast^{r} to make peace or warr, neither is my Lord att New York, but our Ma^{rs} in England and France. Hereupon y^{e} Gov^{r} threw down a Belt, six foot long.

7. The Gov^{r} further said, You Children Sinnekes hear me; It is now peace, and who will now go to warr against the Waganhaes must first acquaint me wth it, & they shall repaire y^{e}

damage they have done to you, & if they will not, & kill of your people a second time, then wee'll fall on them & kill them, & if I should do it you may fall on me & cut y^e^ flesh of my bones; & if yo^r^ Brother Corlaer should begin to make warr then let him suffer to be don so to. Here upon y^e^ Gov^r^ threw don a great Belt.

8 The Gov^r^ further said; Children Sinnekes, I'll send a smith at Cadarachquin who shall make every thing for you, & also all necessary merchandize fit for your trade. Children I know very well yo^r^ Brother Corlaer makes much of Beavers, but I like Moose & Elk skins w^ch^ you may sell to me; also if y^e^ remote Indians have a mind to trade w^th^ your people I will not hinder it. Then y^e^ Gov^r^ threw down a great Belt.

The French Indians speak to our Sachems in y^e^ presence of Mo^r^ De Calliere.

Brethren.

Now wee hear that our Father y^e^ Gov^r^ of Canada has spoke, & now Brethren wee speak & ratifie w^th^ our confirmation that Peace which you have made w^th^ y^e^ Gov^r^ & now let it be peace for ever; for w^ch^ they threw down a Belt.

The Jenondathese[1] Indians speak:—

Now Brethren I have heard just now that y^e^ Gov^r^ of Canada has made peace, & Brethren y^e^ sword wherew^th^ I kill'd you, y^e^ Gov^r^ of Canada gave to me & he that then gave it mee, at his feet I lay y^e^ same down againe. Upon this they gave a Belt.

The three following nations of Indians confirm'd what is above said, each w^t^ a Belt, 1 y^e^ Mahikkanders, 2 y^e^ Wahannas, 3 & y^e^ Indians about Mont Reall y^e^ castle call'd Canossadage.

Then they made an end of speaking.

When y^e^ Sachems w^ch^ had been in Canada had done speaking by Decanoshore, then Decanashore spoke by a little Chain of Wampum, as fôll:—

1. Brother Corlaer we speak alwayes together, & say that we are one heart & soul, & that what one knowes y^e^ other must know it also.

2. Brethren, It is not good that what is said by you when you go to Canada y^t^ we should know nothing of it. Then he gave a little chain of Wampum.

This being done, I spake by a match coate, having nothing else.

1 Brethren, Wee are sorry to hear that since y^e^ sad accident of our Brother Decannissores Wife, he was resolved wholly to discharge himself of all matters of government & to go & live solitary in y^e^ country. Wee desire him to desist & to resume the goverm^t^. The which he promised to do.

2. Brethren, I hope that according to yo^r^ promise made in y^e^ Great Councill you'l not suffer any French Priest or other French men to be among you, & that as soone as any come, you'l forthwith by express acquaint y^e^ Gov^r^ thereof: w^ch^ they promised.

Decannissore said thereupon, that we should then presently send some great Sachem that could speak w^th^ them.

The 6^th^ Sber 1700. Decanissore and Joingwanda two Sachems, went w^th^ me to Kachnawarage on the River Quohock $\frac{1}{12}$ of a Dutch mile[2] from y^e^ Lake of Oneyde to view that scituation: y^e^

[1] Tionondadies, a tribe of the Hurons. Compare *De la Potherie, Hist. de l'Amerique.* IV., 170. — Ed.

[2] "1½ Dutch mile," in the next document. — Ed.

next day on our return being y^e^ 7^th^ 8ber. some Indians met me, and said that our people designed for y^e^ farr nations of Indians were come at Onnondage; at w^ch^ I rejoyced & said to y^e^ Interpreter Lawrence Claessen that now I could go without any danger to y^e^ Cajouges & Sinnekes; but my design was frustrated, & seeing that Decanissore & y^e^ other Sachems w^th^ him that evening when my Lords passe relateing to our peoples going to y^e^ remote Indians, was explained to them, were not well pleased and went away angerly; all was suspended till y^e^ next day, being y^e^ 8^th^ 8ber, and our Mahikanders came very early to our tent one mile from y^e^ castle of y^e^ Onnondages & openly protested that they would not go with our people to be knock'd in y^e^ head. Whereupon I gave my proposicôns in writing, but were not accepted; and are as fôll:—

1 That the Onnondages ought to be spoke to, to prevent their jealousie of my Lord Bellomont's passe for our peoples going to y^e^ remote Nations; for w^ch^ thought necessary that y^e^ Onnondages be desired to send me one from among them to the Cajouges w^th^ a Belt, to desire by that Belt to speake to y^e^ Cajouges & desire that they would also send one from among them to y^e^ Sinnekes with a Belt to assist our people in their course.

2. That y^e^ Sinnekes present in Onnondage & those that are at home in their country bee desired in pursuance of my Lord's passe to help & assist our people, their design being to hunt, & having instruccôns to endeavor by good meanes to speak w^th^ some Sachems of y^e^ remote nations at present in warr w^th^ them & see if they could bring them to New York to makeing an eternall peace with them; w^ch^ would be very good for y^e^ Sinnekes.

3 And if our people could bring none of the Sachems of the remote Nations, that y^e^ Sinnekes be desired that our people may go w^th^ them & under their protecc6n & so follows their designe of hunting.

4. This being proposed to the Onnondages & if they consent to it, than I doubt not but y^e^ Cajouges and Sinnekes will also agree to it.

5. Then our Mahikanders and [our people who] have been debauch'd & so are unwilling to go, must be made sensible that if they refuse they do draw on themselves my Lord's anger.

The same day being the 8^th^ Oct^r^ Wee broke up & went till w^th^ half a mile of Onnondage, because most of y^e^ Indians were drunk in y^e^ Castle & that our people & Mahikanders were unwilling to go further, because y^e^ remote Nations of Indians had lately killed 3 women and two men of y^e^ Sinnekes and also y^e^ Onnondages were not well pleased, that my Lord in y^e^ Great Council of Albany had not made known any thing relateing to these peoples goeing & had not furnish'd them with necessary belts for 'that purpose.

We desired y^e^ Sachems to come to us in y^e^ field; which they did.

Then Dekanissore spoke & said: Brother Corlaer: Our people have been long at home & all our Brethren know what they have don in Canada, & you Brethren have heard & write down all, & wee desire that you will acquaint y^e^ Maquash therew^th^ as you go by; wherefore he gave us a chain, w^ch^ we accepted on that condicôn.

On y^e^ 16. 8ber We gave unto y^e^ Bald Pate Norhronorum in the last Maquash Castle, the chain, & reported what y^e^ Indians had done in Canada.

I spoke to Decanishore and said, Brethren at our coming here we desired a Canoe & wee acquainted you that we would view a place to erect a Fort, w^ch^ we could not do without a canoe, & you said that you should consult about it together, & Brethren you have not yet given us an answer; & I think Brethren you will not make one; & you have been also told that your Brother Corlaer had expressly comanded me to return by water, to see the

constitucôn of y^e^ Rivers, carrying places, rifts & wood, whereby some Rivers are made navigable; & so Corlaer expects me home by water; & now by yo^r^ neglect because you have not resolved us & must return again by land.

Hendrick Hansen said, relating to a Fort, w^ch^ I did not think adviseable to give them so much scope, yet therefore it ought not to be according to their opinion, but the thoughts of the work in it self to be left to those that better understand it, neverthelesse was said to the Indians

That wee had seen some places for a Fort & now desired their opinion where they thought a fort could be built, & knowing this & might well happen that Corlaer might agree with their opinion.

Having thus farr talked with y^e^ Indians & said to them, Brethren, I am sorry that our Christians have found so little encouragem^t^ among you notw^th^standing they went out on so good a designe, to see it[1] in their hunting they could not meet w^th^ some Sachems of the remote Nations & speak with them, for w^ch^ they had belts w^th^ them, to see if they could not bring them to Schonagtade to Corlaer & so make an eternal peace w^th^ them.

Hereupon the Indians gave a short extempory answer & said what shall wee now say to that yo^r^ people are already returned home

After wee had thus far discoursed y^e^ Sachems went together & seperated a little from us in y^e^ field, & after consultacôn w^th^ two of the eldest Sinnekes Sachems, they said as fôll:—

1. Brother Corlaer; You have now been on severall places to look for a Fort & have desired that we should answer thereto what our opinion was & where they should judge fitt to make a Fort.

2. Brethren, we shall not give you any answer to that now, because here are but two Nations together & the Cajouges and Oneydes must also be present.

3. Brethren, Corlaer, you have also spoke & desired relating to y^e^ Indians, w^ch^ we have allowed to worke at y^e^ Fort, I must pity you, that you can not depend thereon, because all our Brethren do go a hunting, therefore I think you must worke alone, for w^ch^ I am sorry.

4. Brethren, you also desire that wee should say where this Fort would be best scituated.

Brethren it may be that you'l come early in y^e^ spring, w^ch^ will not be good before we have been together & resolved of all, which shall be in y^e^ Spring, when y^e^ trees begin to budd, then I'll come w^th^ my Brethren to Albany & give our resolucón & then some young Indians will be returned from their hunting.

5. Brethren, it is not good that any thing be consulted in one place, but all the other Brethren ought to be present.

6. So said Decanissore for a conclusion, saying;—Brethren, it will not be according to my mind if there be worked at the Fort, before I come to y^e^ Citty of Albany.

Hereupon he threw down a Beaver, & than had finished; and we presented them, having nothing else, with an ammunicôn gun, w^ch^ I had taken for mine own defence along with me, from M^r^ Livingston; where withall y^e^ Indians were contented & gave us a huza, after ther manner, when we were mounted on horse back, as we immediately did, having finished our discourse, & ridd for Oneydes.

A true Copy

(signed) Bellomont.

[1] *Sic.* Qu. if?—Ed.

Journal of Messrs. Hansen and Van Brugh's Visit to Onondaga.

[New-York Papers, N. O.; O. 9.]

To the Earl of Bellomont,

the Journal of the expedicón of Col. Romer, Major Van Brugh & Hendrick Hansen, for Onnondage.

Anno. 1700. Sept^{r} 13th Wee departed from Albany & came to Schenectade, 14 d^{o} from thence we came to Jacobus Peek & found wee could not travell wth our baggage on horse back & were necessitated to hire a canoe & a man & to send for them from Schenectade to carry our baggage to the uppermost Castle of the Maquas; w^{ch} canoe came to us that night.

15 d^{o} In the morning we parted thence on horse back & sent our baggage and provisions in the Canoe and came that day to the first Castle called Ogsadago, where we lodged.

16 d^{o} In the morning we departed thence & came that day in the second Castle of the Maquass called Canaedsishore where the Canoe wth our baggage came to us in the evening. We desired the Sachems of the Castle to provide us four Indians to carry our baggage to Oneyda which was brought hither in a Canoe; who forthwith resolved and got four Indians ready against the morning to go with us.

17 d^{o} We sent one Canoe back to Schenectade, & we marcht on as farr as Decanohoge, where the Sachem Onoronorum lives, in company of the aforesaid four Indians that were ordered to attend us, but coming there two of our Indians were unwilling to proceed any further; whether it was the load was to heavy for them or that they were debaucht, we know not. We desired of Onoronorum that he would order us to other Indians, which he did at last, & desired us to stay there that day, and said that he would send for two Squass from Canijoharie w^{ch} should go with us in y^{e} morning because he could not spare the men that were there, because they were busie to make houses; so we resolved to stay there that day. In the evening it began to raine, w^{ch} raine lasted, to our sorrow, untill the 20th d^{o}

20 d^{o} little rain; we departed with two Indians & two Squass that carryed our baggage.

23 d^{o} We came in Oneyde & were friendly treated; we lodged in the house of the Sachem Hanagquaindi. We called the Sachems together & desired of them that they would make a Canoe at the Carrying place against we came back, for Col. Romer to come down in, but they could not resolve to do it, some times p^{r}tending that it was impossible to make a canoe now, & some times that they would do it, but would be presently paid for it, & demanded so much for the Canoe that we could not pay them, because they knew we had not so much merchandize, at the last came to know conclusion, at which the Sachem Kanagquaindi was very sorry and dejected that what we desired was refused & said in the presence of the most unwilling brethren, I am greived they will not do what you have desired; you know that I have appointed to morrow to go to fight with my people, to the Southward, where y^{e} Flatheads[1] live, otherwise I would go with my people & make a Canoe. Then went our carriers home.

25 d^{o} We rid for Onnondage with three other carriers which we had hired there.

26 d^{o} We came to Onnondage where a house was made ready for us, where we lodged & heard that Decanissore & some other Sachems were abroad, &, as they told us, were sent for

[1] The Choctaw Indians were so called. *Du Pratz Louisiana*, II., 140, 141; *Gallatin's Synopsis*, 100; *French's Louisiana Hist. Coll.*, III., 137. — Ed.

to hear what news the Indians brought from Canada, & had newes that they were near at hand; so we staid till the next day.

27 d° We sent for the Sachems together & asked them whether there was a canoe at Canainda, for our use to go in that Lake & so down the River till where the river comes in that runs out of the Lake of Oneyde. They answered there was no Canoe, but that there would be one or more to day or to morrow, & also said that they could not talk about till all the Sachems were come, w^ch^ they expected home to day.

28 d° Because the Sachems w^ch^ they expected were not yet come, We desired them again to assemble & when seaven of them were met, we told them that it was now the third day that we came hither & that the season of the year would not suffer us to stay long, so we desired they would send other messengers to hasten the Sachems. They answered here sitts a man that came from them, & says they will be here to morrow, therefore we desire you to be patient till then before you speak; for it is a scandal amongst us that we should resolve on any thing while the rest of our people are at hand to joine us. Then we concluded to stay till the next day.

29 d° The Sachems w^ch^ we expected not being come, that evening we sent again for those that were present, & told them that it was now the third time we had been together & that they had told us they could not conclude without the rest of their people were come, & from time to time had said that they would come, and yet come not, & now Decanissores son, who has told us that his father knows nothing of coming home, & therefore at last we desire you will send for them. Whereupon they forthwith resolved to send for Decannissore early in the morning

30 d° The Sachems that had been in Canada came home & would report what had befallen them by the French; when we perceived that, we send the Interpreter Lawrence Claessen thither, & when he came in they called him amongst them & said, as föll:—

When they came in Canada nigh the Castle called Cachenuage where the praying Maquass lives, they were called upon by the said Praying Indians who desired they would come in their Castle & eat with them of what they would prepare for them, adding further why they alwayes passed by their Castle when they went to the French, as if they could not abide the smoake of that Castle. When they had eaten they went for Mont Reall and were saluted with 7 or 8 cannon shot & treated very well with victuals & drink & the next day some Inondadesse Indians came to them & told they had alwayes lived in a misunderstanding together; pretending that they came to fight against them, but that it was not true, but those people to whom they had given Belts to, the last yeare, come and fight you; so that your owne Belts kill you. The Gov^r^ of Canada also said, that he had now sent a Priest to Ottawawa to fetch their prisoners & to deliver them to them in Canada the next Spring; also a Priest told them that they should desire the Gov^r^ of Canada to send a smith at Cadarachquin to mend their guns & axes, & to send a great deal of trade and merchandise there & to sell it as cheap there as at Mont Reall; which they did, & the Gov^r^ agreed to it & said that they [ought] to bring their skins thither to trade for that he liked them, and their Beavers to their Brother Corlaer at Albany, for he fancys them but I do other skins, & you shall have as much for them there as at Mont Reall, for he would not suffer that they should buy so dear as they had don last spring in Cadarachquin & that he had imprisoned the man that had sold them y^e^ goods so dear last spring. The Priests thereupon moved them to insist with the Gov^r^ for his release; which they did, but the Gov^r^ refused, because he had done to much mischeif, but would put him to death or send him for

France. They further related that when they were on their return homewards they saw severall Frenchmen with their goods going up to Cadarachquin by order of the Gov^{r} to trade with them. Then they adjourned & said when the rest of the Sachems were come home they would proceed.

This afternoone we heard that the messenger ordered to go for Decanissore was not gone, because it rained & snowed all this day.

Oct 1st We hired an Indian w^{ch} we sent to Decanissore w^{ch} in the afternoone came to the Castle with Decanissore & we desired Decanissore that he would call the Sachems together, w^{ch} he did, and when they assembled Col. Romer desired that they would make a Canoe for him to go to Schenectade with, & a canoe or two to lend us now to go in Canainda Lake as farr as where the river comes in, that comes out of the Lake of Oneyde & two of their own men to go along with us to look for y^{e} best place to build a Fort, & also when their people would be ready to work at y^{e} Fort. Whereupon they said they would answer early the next morning.

2 d^{o} In the morning Decanissore came to us & told us that the Sachems of Oneyde were come to hear what news from Canada, & would faine make haste home again, and therefore had resolved to relate that first & have us to be present: as we were.

The Gov^{r} of Canada's Propositions to our Indians:—

1 Children. I thank you that you treated my people the Priest and Mo^{r} Marricour so well when they were in your country for w^{ch} I embrace you: & laid down a chain of Wampum.

2 I have heard that your people would have gon out a fighting, but thro' y^{e} meanes of the Priest & Marricour the Axe was laid down; for which I thank you: and laid down a Belt.

3. Children now you are come here & it is a long while agoe I acquainted you to come, for it is your own fault, there is so many of yo^{r} people killed, for the Waganhaes have yet had the sword in their hands: & then threw down a Belt & said, herewith I wipe of your teares.

4. Now Children I thro' the axe to the Devil in a hole, & lay a stone upon it as bigg as all Mont Reall, that no man may take it up again: & laid down a Belt.

5. Children, hear me. It is now peace all over & I release all prisoners, & have sent a Priest to Ottawawa to fetch all the prisoners, & in the spring you may see and speak wth them, & try if they will go with you: and laid down a great Belt.

6. We plant a Tree of Peace, whose roots reach all the nations round about us yea even to heaven, & if any person comes to cut one of the roots, we'll all consult about it: and he laid down a Belt as long as a man.

7. You Children Sinnekes. Hear it is now peace, & if any will fight with the Waganhaes, must tell it to me, and what damage they do they shall repay it themselves, & if they do it a second time we will all together fall on them, & if I do cómence the warr again you may all fall on me and cut my flesh of my body; and if your Brother Corlaer should do it let him answer for it: and laid down a Belt: and he added, neither I nor the Gov^{r} of New York are Ma^{rs} of peace or warr, but the Kings of England & France.

8 You children I'll bring goods at Cadarachquin to trade wth you, & send a smith to mend your axes & Guns. Children, I know your Brother Corlaer loves Beaver, but I fancy other large skins, therefore you may sell the skins to me, & bring the Beavers to yo^{r} Brother Corlaer; and if the farr Nations have a mind for Corlaers goods they may go & trade there, I'll not hinder them: and laid down a Belt.

9. Relacôn of the Praying Indians of Cachanuage.

Now Brethren we hear that our Father Nondio has spoken, we also speak and assent to what he has told you and let it be peace for ever; & laid down a Belt.

10. Relacôn of the Innondadese Indians.[1]

Brethren just now we have heard that Nondio has made Peace. Brethren you know that the sword where with I killed you in the warr was put into my hands by Nondio, & now I return it to him that gave it me: and laid down a Belt. In like manner did the Mahikanders the Waga[n]haes & the Indians of Connossedage, for w^{ch} each of them laid down a Belt.

After this they spoke to us viz^{t} the following Sachems by the mouth of Decanissore.

	from Canada		
Nihosogqua	Sinnekes	Ohansiowanne	Onnondages.
Whanrarangunnie		Diogorandagigso	
Ochhask		Decanissore	
Sinninadjewane		Badsie—	

Brother Corlaer. You and I alwayes speak together and tell one another what we know: we have one breath one soul, & what one knows he'll tell the other and so we remaine one; for w^{ch} they laid down some Wampum. They further added; Brother Corlaer it is not good that any thing should be spoken among us & the other not know it, for when your people go to Canada I can know but little of it, for which I am sorry. They also answered to what we desired of them yesterday, & said, that there were two Canoes ready at Canainda to go thro' the Lake & go up and down the river, but they desired that they being poor that we would pay them for it, and when we returned from Canainda they would tell us whether there should be a Canoe made for Col Romer to go home in, but desired they might be paid for it. Which we promised. They also engaged us two men to go wth us to Canainda & one Sachem among them.

3 d° We went for Canainda, but the Sachem that was appointed to go with us was drunck, & so did not go, but we got another in his roome at Canainda and so went in the Canoe thro' the Lake of Canainda until a river that runs out of the lake of Oneyda, but found no fitt place to build a Fort; so we were advised to go to Quiehook the Creek that runs out of the Lake of Oneyda, & so returned to the Castle of Onnondage.

6 d° We went with Decanissore, Sinnicquanda, both Sachems, for Quiehook by the Ledge called Kagnewagrage about 1½ Dutch mile from the Lake of Oneyda where we saw a very fitt place and good wood to erect a Fort.

7 d° We returned to the Castle & when we came nigh it we heard that our people that had a passe to go to the remote nations of Indians were come thither. We ordered them to come to us, & we heard that they were wholly discouraged to go further; also our Sachems desired to know on what intencôn those people were come; which we told them & desired them to send a man or two with them; w^{ch} they said did not sute them; because but tenn or 11 dayes ago, some of the Sinnekes were taken prisoners & they would send no people into the fire, for they looked on them as dead that went thither.

[1] See ante, p. 799: Note 1.

8 d° We asked our people that had the passe what they would do, to go further or return back, but there was not one that said he would go further. Then we asked the Mahikanders that were to go with them what they would do, who said they would return, for said they if they proceed we are dead people. Whereupon Col. Romer resolved forthwith to depart for Oneyde. The Sachems of Onnondage were not well pleased about that passe, because my Lord had not acquainted them therewith & said that our people had run a great hazard of their owne people for those that were a hunting knew not of any of Corlaers people being abroad, & therefore feared that our own people would kill them as well as by their enemies. Whereupon those people that were to go to the farr Nations resolved to return home.

We were now ready to return home & called the Sachems together. When they were assembled we would againe acquaint them of our departure, but they begun first, by the mouth of Decanissore, and two Sinnekes Sachems being present; which said:—Brother Corlaer, the Indians that have been at Canada are now all returned home; what the Gov^{r} of Canada has spoken is made known to us all, except the Maquase; we desire you because you go by them to make it known to them by this letter; & laid down a bunch of black Wampum, w^{ch} Col. Romer took up.

Then we spoke and said:—

Brethren. We are now on our departure homewards; when we came we desired by the Gov^{rs} order a Canoe for Col. Romer to return home in, to view the scituation of the Rivers and carrying places, but till this day have no answer, altho' you promised that we should consult about it & resolve upon it at our return home from Canainda; but you have not done it, therefore we are resolved to go home on horseback. We further said:—Brethren we have been at Canainda & at the creek Quiehook by the Lodge called Kagnewagrage to look for a fit place for a Fort, & as we have found it so we will report it to the Gov^{r}; but Brethren w^{ch} do you think is the best place, let us hear, & when we have heard that, wee'l tell it the Gov^{r} & it may be the Gov^{r} & you may agree.

Decanissore, spoke:—

Brother Corlaer. You have been in two places to see for a fit place to build a fort & now you ask us where the best place will be, but we cannot tell it yet, because all the Nations are not here, the Sinnekes are here, but the Cajouges & Oneydes are not here, & till we have resolved together we can not answer.

Brother Corlaer. You have desired to know when the Indians will be ready to work at the Fort. Brother Corlaer, I think if you go soon to work in the spring you must work alone, for our people are a hunting. I therefore pity you must work alone

Brother Corlaer. I desire that you come not sooner in the Spring to make the Fort before we are come to you, w^{ch} will be when y^{e} trees begin to budd, & when we are come wee'l council together; for if you come sooner it will not be good, but when we have council together it will be better & our Indians will be returned from hunting & they may help you.

Brother Corlaer. It is not good that one party invent some to do, but when any thing is to be done, all the Nations ought to consult about it.

Brother Corlaer. Let it be so as I say that you do not begin to work before we come to you in the spring; and laid down a Beaver; & desired we would tell it to the Oneyds, which we promised and we said to them:—Brethren we thank you that you hide nothing from us of the newes he had from Canada, & we desire further if they knew any thing more of the French, or if they expected this fall any French or Priests, to tell it us & not to hide it: & we gave them a match coate.

Decanissore spoke:—

Brother Corlaer. If it should happen that any French & Priests should come hither do not only send John Baptist or some particular man, but send also a great officer or two, that they may speak together.

We told them:—Brother, the day grows short, but we must talk a little more. You have now told us all the newes of the French: your Brother Corlaer has alwayes forbidd you to go there to speak of peace, not only for the honour of his person, but for the hon^{r} of all your Nations; for y^{e} peace that is made, is made by the Kings, as the Gov^{r} of Canada told you; & what does it availe you to have been there, it is only a reproach to for your Nations, & seems you have humbled yourself before him, as if he had conquered you, & he will boast of it that you were forced to come and make peace with him, when he is no Ma^{r} over y^{e} peace, as he said himself.

We took leave of them & presented them wth a gun, w^{ch} we had taken with us for our own use; for w^{ch} they thanked us.

9th We came in Oneyda & told them w^{t} Decanissore had desired us to say.

10th Col. Romer told us that his instruccôns were to see how much lesse the Carrying place could be made; whereupon we resolved forthwith to go thither, as we did, with an Indian which we hired who shew us the way.

11th d^{o} We came by a most miserable path to the Carrying Place, w^{ch} we viewed as farr as the Wood Creek, when Col Romer resolved to go to Oneyda. 12th do. In y^{e} evening we came to Oneyda. 13th d^{o} we departed from Oneyda. 16th d^{o} we came in the Maquass country to the Sachem Onoronorum at Canohogo, were we delivered the message we were charged wth to him from y^{e} Onondages. 17th d^{o}. We came at a place called the Wildernesse 2 mile above Schenectade, 18th d^{o} in the evening we came to Albany.

Lawrence Claessen — Peter Van Brugh
Interpreter. — Hend^{k} Hansen.

A true Copy
(Signed) Bellomont.

Number of the Militia of the Province of New-York.

[New-York Papers, N. O.; O. 14.]

A table of the Number of the severall Regiments in y^{e} Province of New. York.

County of Suffolk	614
Queen's County	601
King's County	280
Richmond County 2 Comp^{as}	152
City & County of New York	684
County of West Chester	155
Ulster & Dutchess County	325
City & County of Albany	371
Totall	3182 men

Names of the Officers of the Militia in the Province of New-York.

Province of New York.

List of y^e^ present Officers of y^e^ Militia in his Mâtys Province of New York in America commissionated by his Excêl. Rich^d^ Earle of Bellomont, Capt. Generall & Gov^r^ in Cheif in & over his Mâtys said Province &^c^ viz^t^

Of y^e^ Regiment of Militia of y^e^ County of SUFFOLK on y^e^ Island Nassaw.

Isaac Arnold ..... Colonel
Henry Peirson ..... Leiu^t^. Col. } Feild Officers
Mathew Howel ..... Maj^r^

The several Comp^as^ in y^e^ said Regim^t^.

The Foot Compa in the town of Brookhaven

Sam. Smith ..... Captain
Richd Floyd..... Leiut. } Com'on Officers
Joseph Tucker..... Ensigne

Of the Foot Compa in ye town of Huntington.

Thos Wicks..... Capt.
Jon Woods..... Leiut } C. O.
Epenetus Plat..... Leiut

Of ye Foot Campa in ye town of Southampton

Abra: Howell..... Capt.
Joseph Fordham.... Leiut } C. O.
Isaac Halsey... ... Ensigne.

Of another Compa in ye said Town.

Capt
John Lupton..... Leiut } C. O.
Joseph Moore..... Ensigne.

Of another Compa in ye said Town

Tho. Stephens..... Capt.
Joseph Peirson..... Leiut } C. O.
Jerem. Scot..... Ensigne.

Of ye Foot Compa in ye town of Southold

Tho. Youngs..... Capt.
Sam. Glover..... Leiut } C. O.
Rich. Brown..... Ensigne.

Of another Foot Compa in ye said Town

Jonathan Horton..... Capt
" Griffin ..... Leiut
Emens ..... Ensign.

Of another Foot Compa in ye said Town

Thos Mapas..... Capt.
Joshua Horton..... Leiut
Jon Booth..... Ensigne.

Of another Foot Compa in ye town of East Hampton.

Capt.
Leiut
Ensigne.

Of another Foot Compa in ye said Town.

John Wheeler..... Capt.
Enoch Fitchen..... Leiut
Corn. Conchling..... Ensigne.

This Regiment consists of six hundred & fourteen men.

Of the Regim^t^ of Militia in QUEENS COUNTY on y^e^ said Island.

John Jackson..... Colonel / Leiu^t^ Col. / Maj^r^ } Feild Officers.

Of the Foot Compa in the town of Jamaica.

Hope Carpenter.... Capt.
Benjn Thurston..... Leiut } Com'on Officers
Richd Oldfeild..... Ensigne

Of another Compa in ye said Town

Sam. Carpenter..... Capt
Joseph Smith..... Leiut } C. O.
Dan: Smith..... Ensigne

Of the Foot Compa in ye town of New Town.

Content Titus..... Capt.
Sam. Kecham..... Lieut } C. O.
Sam. Morrell..... Ensigne

Of another Foot Compa in ye said Town.

Robt Coe..... Capt.
Jon Berian..... Leiut } C. O.
Jonathan Coe..... Ensigne

Of the Foot Compa in the town of Hampstead

Jerem: Smith..... Capt
Richd Hubbs..... Leiut
Isaac Smith..... Ensigne

Of another Compa in ye said Town.

Joseph Smith ..... Capt
..... Leiut
Tho. Gildersleive..... Ensigne

Of another Foot Compa in ye said Town

Tho. Tredwell	Capt
Jon. Pine	Leiut
Jon Forster	Ensigne.

Of the Foot Compa in the town of Flushing

Robt Hinchman	Capt
Farrington	Leiut
Daniel Wright	Ensigne

Of the Foot Compa in the town of Oysterbay.

Robt Coles	Capt
Josia Lattin	Leiut
Nath: Coles Junr	Ensigne.

Of the Troope of Horse in ye said Regimt

John Lawrence	Capt
Jonath: Smith	Leiut
Daniel Lawrence	Cornet
Jon Finne	Quartermaster.

The Regiment consists of Six hundred & one men.

Of the Regiment of Militia in King's County on ye said Island.

Stephen Cortlandt	Colonel	Feild Officers
Gerrardus Beekman	Leiut Col.	
Corn: Van Brunt	Majr	

Of the Foot Compa in the town of Amersfort.

Jon Terheunon	Capt
Peter Montford	Leiut
Corn: Van Voorhuyen	Ensigne.

Of the Foot Compa in ye Town of Gravesend

John Lake	Captain
Chr: Bemoyn[1]	Leiut
Albert Coerten	Ensigne.

Of the Foot Compa in the town of Brookland

Joris Hansen	Capt
Daniel Repalie	Leiut
Teunis Repalie	Ensigne.

Of the Foot Compa in ye town of New Uytregt.

John Van Dyke	Capt
Joost Van Brunt	Leiut
Matys Smake	Ensigne.

Of the Foot Compa in the Town of Midwout

Arie Van de Bilt	Capt
Symon Hansen	Leiut
Isaac Hegeman	Ensigne.

Of the Foot Compa in ye Town of Boswick

Peter Pra	Capt
Michill Parmyter	Leiut
Jochem Vouchnewen[2]	Ensigne

Of the Troop of Horse in the said Regiment.

Dan: Polhemius	Capt
Roeloft Verkirk	Leiut
Jeronimus Remse	Cornet
Gysbert Bogard	Quarter master

This Regiment consists of Two hundred & eighty men.

Of the Militia in the County of Richmond.

Of ye Foot Compa in ye said County

Tho. Stilwell	Capt	
Tho Morgan, Nice Teunisse	Leiuts.	

Of another Compa in the said County

Andrew Carmon	Capt.	
John Stilwell, Jaque Poilton	Leiuts	

The said two Compas in the said County consists of one hundred & fifty two men.

Of the Regimt of Militia in ye City & County of New York.

Abra: De Peyster	Colonel	Feild Officers
Wm Merret	Leiut Col.	
Jon Henry De Bruyn	Majr	

Of a Foot Compa in ye said City.

Robert Walters	Capt.	Com'on Officers
Andrew Teller	Leiut	
Jon Hardinbrooke	Ensigne	

Of another Foot Compa in ye said City.

David Provoost	Capt.	C. O.
Wm Churcher	Leiut	
Abra: Brasier	Ensigne,	

Of one other Foot Compa in ye said City.

Leonard Lewis	Capt.
Jacob Vander Spiegle	Leiut
Isaac Gouverneur	Ensigne

Of one other Foot Compa in ye said Citty.

Isaac De Riemer	Capt.	
Steph Richards	Leiut	
Nicho. Blank	Ensigne	

[1] *Sic.* qu. Romeyn?

[2] *Sic.* qu. Verschuur? — Ed.

Of one other Foot Compa in ye said Citty

Cornelius De Peyster .. Capt.
Roger Baker ..... Leiut
Corn: Lodge ..... Ensigne.

Of one other Foot Compa in the said Citty

John Theobalds ..... Capt
Peter de Melt ..... Leiut
Isaac Brasier ..... Ensigne.

Of another Foot Compa in the said City

Evert Byvanck ..... Capt.
John Vander Spiegel .. Leiut
Jon Tiebout ..... Ensigne.

Of one other Foot Compa in the said City

Martin Clock ..... Capt.
Tho. Tornuier ..... Leiut
Hend: Brevoort ..... Ensigne

C. O.

Of the Troop of Horse in ye said Regimt

John De Peyster ..... Captain
Jon Hoghland ..... Leiut
Jon Outman ..... Cornet
Evert Van de Water ..... Quarter Master

This Regiment consists of Six hundred & eighty five men.

Of the Regiment of Militia in ye County of West Chester.

..... Colonel
..... Leiut Col
Augt Graham ..... Majr

Feild Officers

Of a Foot Compa in the town of East Chester.

John Drake ..... Captain
Joseph Drake ..... Leiut
Henry Tower ..... Ensigne

C. O

Of a Foot Compa in ye town of New Rochell.

Oliver Besley ..... Captain
Isaac Merier ..... Leiut
Pierre Vasleau ..... Ensigne

C. O

Of a Foot Compa in ye town of Mamarioneck

James Mott ..... Captain
Robt Lurting ..... Lieut
Tho: Ives ..... Ensigne.

This Regiment consists of one hundred fifty five men.

Of the Regiment of Militia in ye Counties of Ulster and Dutchess.

..... Colonel
Jacob Rutsen..... Leiut Col.
..... Majr

Feild Officers

Of a Foot Compa in ye said County.

Matthias Mattyson.. Captain
Evert Bogardus.... Leiut
Teunis Tappen..... Ensigne.

Com'on Officers.

Of another Foot Compa in ye sd County.

Abra: Hasbrooke... Captain
Moses Quantain.... Leiut
Lewis Bavea..... Ensigne.

C. O.

Of another Foot Compa in ye said Countys.

George Middagh..... Captain
Gysbert Kroom..... Leiut
Alex. Rosekrans..... Ensigne.

Of another Foot Compa in ye said Countys.

Aria Rose..... Captain
John Rose..... Leiut
Aria Gerrutse..... Ensigne.

Of another Foot Compa in ye said Countys.

Jocham Schoonmaker..... Captain
John Van Camp..... Leiut
Jacob Decker..... Ensigne.

Of another Foot Compa in ye said Countys.

Coenrod Elmendorp..... Captain
Mattyse Sleight..... Leiut
Garret Wyncoop..... Ensigne.

Of another Foot Compa in ye said Countys

Baltus Van Kleet..... Captain
Hendrick Kipp..... Leiut
John Ter Bus..... Ensigne.

Of the Troop of Horse in ye said Regiment

Egbert Schoonmaker..... Captain.
Corn: Decker..... Leiut
Abra: Gasbeck..... Cornet
Mattyse Jansen..... Quarter master

This Regiment consists of Three hundred five & twenty men.

Of the Regimet of Militia in the City and County of Albany.

Peter Schuyler ..... Colonel
Leiut Col } Feild Officers
Dyrck Wessels..... Majr

Of a Foot Company in the City of Albany

Johannus Bleeker... Captain
Johannus Roseboome Leiut } Comn Officers
Abra: Cuyler..... Ensigne

Of another Foot Compaa in ye said City.

Albert Ryckman..... Captain
Wessel ten Broek... ..... Leiut
Johannus Thomasse..... Ensigne

Of another Foot Compa in ye said County

Martin Cornelisse..... Captain
Andris Douw..... Leiut
Andris Koyman..... Ensigne

Of another Foot Compa in the said County

Gerrit Teunisse..... Captain
Jonas Douw } ..... Leiuts
Joehem Lamerse
Volkart V. Hoesem } ..... Ensignes.
Abra: Hanse

Of a Foot Compa in ye town of Schenectady

Johannus Sanderse Glen..... Captaine
Adam Woman[1] ..... Leiut
Harman N. Slyke..... Ensigne.

Of the Troope of Horse in ye said Regiment.

Kilian Van Renslaer..... Captain
Johannus Schuyler..... Leiut
Bennone V. Corlaer..... Cornet
Anthony Bries. ..... Quartermaster.

This Regiment consists of Three hundred seaventy one men.

Earl of Bellomont to Secretary Popple.

[New-York Entries, D. 202.]

Extract of a letter from the Earl of Bellomont to the Secretary dated the 29th of November 1700.

Sir

I have [given] the Lords of the Council of Trade a hint of Mr Graham's endeavour to circumvent us in the last mony bill. I shall give you as short an account of it as the nature of the thing will bear. He is either sick or sullen and comes not from his country house. Captain Provoost the late Mayor of this City went to his country house to him, to know how a Common Conncil might be called for ordering the affairs of the City, since by the Charter, the Recorder (who was then Mr Graham) is always to be present, or they cannot hold a Court. Mr Graham gives the said Mayor a deputation to be his Deputy Recorder, which I take to be wholly inconsistent, that one man should be Mayor and Recorder at the same time, and not only so, but the Mayor telling him the City were in want of mony to carry on their Town-House and other works, Mr Graham has in the same paper with his deputation, advis'd the City's taxing the flower that should be brought out of the country at 3s pr ½ barrel; which I take to be treason to levy mony on the subject without an act of Parliament or of an Act of Assembly.

I have the original deputation and opinion in law as to the taxing of flower, under Mr Graham's own hand, or rather all written with his own hand and his name to it; and a copy of it I send you (marke A) I send you a printed Ordinance (marked B) the originall whereof

[1] Vroman. — Ed.

I have, all written with Mr Graham's own hand. This tax upon flower so enraged the Country members of the House of Representatives (who were four to one) this last session, that they protested no Mony-Bill should pass till the Ordinance were recalled. The City Members were as obstinate for maintaining their Ordinance, so that the Mony-Bill was very near miscarrying, if I had not with much difficulty prevailed with the City members to revoke their Ordinance. That revocation could not be neither, till I had named a new Recorder. The reasons upon which I went you will find in the minute of Councill (marked C.) About a week after, I sent for the Towne Clark, and made him search for Mr Graham's commission. At first he brought me word there was no such commission entred with him, but on a second search he found. I send you a copy thereof (marked D.) I take the said commission to be illegal, there being noe power in the King's commission to Coll Fletcher or me, nor yet in the Charter of New Yorke, which warrants the Governours giving any officer whatsoever, a commission during good behaviour. Another fault I find with his Commission, it was not entered in the Secretary's Office, which is the proper office where letters patent or commissions that have the Great Seal of England or the Seal of the Province affixed to them, are entred. Besides all that, it appears plainly the Charter of New Yorke is not a legal Charter, for the Original I have lately seen; 'tis sealed with the Duke of Yorke's seal, and neither the Great Seal of England nor Seal of the Province, yet it bears date the 2d year of King James, so that the whole foundation is wrong. In strictness this is no City, and all the judgments that have been pass'd in their Mayor's Court are void; yet Colonel Dangan I am told, and Mr Graham, got a good sum of mony for this Charter. I send you the printed Copy of the said Charter (marked E.)

I gave the Lords in one or two letters to understand I had a jealousy of Mr Graham's taking a bribe from Shelly the Master of the ship Nassau who brought above 50 pirates with their spoils from Madagascar. The ground of my jealousy you will learn by perusing the minute of Councill (F.) and the extracts of the Lieut Governour's letters to me, and of my letters to him (which are marked G.) I send the depositions of Dr Staats, Mr Walters and Mr Cozens (marked H) which should have followed next after the forementioned minute of Councill. You may observe a plain trick of Mr Graham's in wording the said minute; Where I have marked with a line, there he has cunningly left out *Giles Shelly* and put in words (the said Crew.) Another thing I must observe to you is the Apology made for Mr Graham by the Lieut Governour in his letter of the 29th of last April to me, about the Bond taken for Shelly, which as I have told the Lieut Governor is instead of an Apology a severe Charge against Mr Graham, whose duty it was alone to draw the Bond himself, as being the King's sole Council in the Law within this Province. That part of the Lieut Governor's said letter is among the extracts I send you.

I also send the mittimus to imprison Giles Shelly drawn by Mr Graham, and the Bond drawn by one Antill who was Attorney for Shelly and Mr Governeur, who was therein out-witted by Antill. The Mittimus and Bond are both in one paper (marked I.)

It would be endless to tell you all the lies & tricks of Graham, and his endeavours to circumvent me; but I was always on my guard with him, so that he was never able to take the least advantage of me. He has sometimes gone to his Country-house and from thence writ to me, how the Assembly were to be managed that Session wherein they settled the revenue, and about the election of the Members of that Assembly, on purpose to ensnare me & entice me to write to him about those matters; but I always wav'd writing to him on those subjects.

Now I have told you how he used me, I will next tell you how he used the King. You know what memorialls I sent the Lords of your Board from Mr Graham, setting forth how ruinous Coll. Fletchers vast grants of land were to the Province. Yet was this man so double and impudent as to oppose with all his might the passing of that Act I sent home for vacating some of Fletcher's grants. He opposed it to myself, witness the notes I writ down in my table book from his own mouth, & which I am able to swear to, a copy of which notes I send (marked K.)

He was so false to the King and to me that session when he was Speaker and that the Revenue was settled for 6 years, as to come and perswade me to accept of the Revenue for 3 years. It was upon that villainous motion of his that I first writ home for a Judge and Attorney, to the Council of Trade, for I found he was so rank a knave there was no trusting him. Several corruptions can be proved against him in his Recorder's place, and that of Attorney General. He has at this time the fate that all false tricking men have, to be hated & despised by men of all parties. I do not find he has a freind in this Province but Mr Livingston, who has not quite so much cunning as he. I send you these papers that in case Mr Graham makes any complaint to the Lords of Trade, for my turning him out of his Recorder's place, they as evidences may be produced against him.

Notes of what passed between the Earl of Bellomont and Mr. Graham.

[New-York Papers, N. O.; O. 44.]

Notes of what passed between Mr Graham and the E. of Bellomont abt the Bill for breaking some of Coll: Fletcher's extravagant grants of land. [4 May 1699.]

On Thursday the 4th of May 1699 Mr Graham the Attorney Genll was call'd up by me after dinner to my writing room, where telling him how Coll: Smith had seem'd this morning in Council averse to comply with the King's order to break Dellius's two grants, that of Bayard, that of Evans, that of the King's Farm, & that of the King's garden; he Mr Graham advis'd me against it, telling me it could not be done, 'twas an originall right by vertue of the Great Seal of England and the publick faith of England: wch was surprizing to me, because he had not only often told me it was destructive to the Province that such great grants should be made of the lands, but also drew up a Representation of it to be sent to England. He told me the people were in a greater ferment than ever, and that the marchands had sent to Virginia to hire a ship to remove themselves and effects to England, and offered a £1000. for it; but that the Master or Owner stood upon £1200. He told me with tears in his eyes that he had been threatned, and that a woman had been with him this morning in his Chamber and told him there was no safety for him; that it was past mediation and reconciliation; that he had forfeited all freindship and forgivenesse of those yt were formerly his friends, and warn'd him to have a care of himselfe.

On Friday the 5th of May 99. Mr Graham was with me, and told me that yesterday he found a quarter of meat (he call'd it) laid crosse the threshold of the door of his lodging, and

pretended to be allarm'd when he told it me. I ask'd him what he thought it might mean; he answ^{d} 'twas a menace to him that he was to be quater'd. I laugh'd at his fear. He told me he inquir'd strictly of the people of the house where he lodges, but none could tell how it came thither.

The above particulars were told me by M^{r} Graham, w^{ch} I am able to testifie upon oath.

(Signed) BELLOMONT.

The Earl of Bellomont to Secretary Popple.

[New-York Entries, D. 207.]

Extract of another letter from the Earl of Bellomont to the Secretary of the same date. [29 Nov. 1700]

Sir

This goes as a Codicil to my long letter to you, to desire that the £100, I have already advanced for the 24 masts and the £200 I am to pay the 1st of Dec^{r} which is near at hand and will and must be paid before this ship can possibly get to England, making in all £300. New Yorke mony or £230 17. sterling, may be paid to S^{r} John Stanley for my use; wherein I desire you will do me the kindness to sollicit the Lords of your Board to countenance and support my demand of that mony from the Admiralty or Navy-Board.

Another request I make you is, to acquaint their Lordships that for want of a particular account of the clearings due to these four Companies from M^{r} Champantè, I have not been able to pay them. 'Tis true he sent me an Abstract (a copy whereof I now inclose to you) by the last ship, wherein there is a sum in gross amounting to £263 7 9. for clearings; but the Officers and I are wholy at a loss what is due to each Company. The sum you must know would have been a great deal more, but for the checks for defective men in the Companies appearing by the Muster Rolls. Now some Companies having more defectives than others, it had been proper for M^{r} Champantè to have sent a particular to what came to each Companies share of the clearings.

M^{r} Hungerford tho' my near kinsman has play'd the fool, and worse, while he was one of the Collectors. I send some evidences against him, which I desire may be in readiness to be produced upon occasion. His Father S^{r} George is of the House of Commons, and I hear is so weak as to take it ill I turned his son out of that employment; which I protest I would have done to a son of my own. My Cousin Hungerford made it a common practice to make seizures & compound for them, without lodging them in the Custom House or giving any account of them to the Government.

Earl of Bellomont to Secretary Vernon.

[New-York Bundles, S. P. O.]

N. York the 6th Decr 1700.

Sir

I have recd the favour of your letter of the 11th of Aug. and am much oblig'd to you for your approbation of my letter to the Council of Trade of the 22th of last June about Naval Stores. You will find by the letter I now write 'em, a copy whereof goes with this, what a bargain I have made for the King for masts of ships. I shall furnish them about 70£ pr Cent cheaper than the King and all his ancestors ever had 'em. This shews what a property the King has been to certain men in office. You must needs own the difference in point of cost is not only great but prodigiously so. I will undertake if these men that have contracted with me perform their bargain I will save the King the best part of £20000 a year in the article of masts boltsprits and yards for his ships of war. Pray read over my list of prices of masts, and let the King know the service I am doing him. I begin to thinke I deserve well of the King and I wish he would let me see he thinks so too. I protest I am quite tyr'd out with taking pains for the publick, without any profit to myselfe. I can apply two texts of Scripture to my selfe; that of muzzling the ox that treads out the corn, and that of the labourer's being worth of his hire. I am in a place where my predecessor Fletcher got a great deal of mony ('tis said, and I believe it £30000) and so could I but that I am muzzled. The other text needs no explanation. I am not half so uneasy for my selfe as for the King's and publicks interest. I cannot but be amaz'd at the delay that's us'd in approuving the Act of Assembly I sent home a year and half ago, for vacating some of Fletcher's extravagant grants of lands, a thing we were cômanded to do. It raises the insolence of the faction here, and is a mortification to all those honest people that stood by me in passing that Act; no, I have not so much as been afforded the least reason why that act has been under so long a suspension. The act two that bestow'd me and Lieut Governor £2000 this mony (or £400 sterling) between us, is of the same age with 'tother act, and if I were to make an estimate of my interest at Court by my usage in that Act, I must thinke I stand the last man in the list.

You will find by my letter to the Council of Trade that I watch the Madagascar trade as narrowly as I can.

As to Kidd's pretence of urging to his owners the necessity of allowing the seamen pay, I can safely take my oath there was no such thing, but so far the contrary, as that as often as I saw him he told me he knew the pyrats hants so well, that he could sail directly to 'em; but his articles with me which I sent you (the original one by the Newport frigat, and a copy by the ship Fortune) will shew his mind in that matter; for when we don't hear a man treat of a bargain, his hand and seal is the best evidence of his assent and consent to a bargain. As to my letter I writ to Kidd by Burgesse, and wch Capt Lowth intercepted, I own I writ to him to come to N. Yorke, and if it be rightly consider'd, I did therein what became me. Upon my first coming hither I had reason to suspect he was turn'd rogue or pyrate, for contrary to his articles wth me, he came hither to N. Yorke and here staid abt 3 moneths, and Mr Livingston whom I found here before me told me he had some reasons to suspect he would turn pyrate. Two of his reasons were, a bargain whisper'd about, that Fletcher had covenanted wth Kidd to receive £10000 if he made a good voyage; the other was the dissolute life Kidd had liv'd

during the 3 moneths he staid here. But when I writ that letter to Kidd by Burgesse, I had an account he was certainly turn'd pyrate, and then I could not be blam'd to have a just indignation against him, and to try by all means to get him into my hands, and 'tis plain menacing him had not been the way to invite him hither, but rather wheedling, and that way I took, and after that manner I got him at last into Boston when I secur'd him; and a copy of that letter I then writ to him, I sent you wth the first news of my seizing him. If I was faulty in the letter I writ by Burgesse, I was no lesse so in that I writ by M^{r} Cambel w^{ch} brought in Kidd to Boston.

As to the charge against me for suffering the ship New York Marchand to come hither after having been at Madagascar, I have inquir'd ab^{t} it, and the story of that ship is this:— Frederick Phillips her owner had appointed her to stop at Delaware Bay, w^{ch} is 50 leagues westward of this Province, and there his son met her in the Frederick's sloop, takes out all her E. India goods and sends the Frederick's sloop and goes to Hamborough (the story whereof you know) and comes to this town in the N. York Marchand. Upon notice of the ship's coming in (for the sloop I never heard of till from your selfe) I sent imediately to search the N. York Marchand, where there was nothing found but a parcel of Negros, and the trade for Negros to Madagascar was not then under a prohibition, nor untill the E. India Act passed in England. I defie all mankind to charge me justly wth any sort of corruption in the least degree or wth any connivance or partiality shew'd to one man or party more than another.

I desir'd you in my letter by the Newport frigat to get Peter Mathews and two other Lieu^{ts} exchang'd for so many out of the present forces in England. If I have not trusty officers 'tis impossible to get the sould^{rs} to work at Naval Stores; therefore I desire y^{t} Mathews and the other two, viz. Shanke and Bulkely may be exchang'd imediately. I beg of you to get Major Ingoldesby exchang'd, who has been four years absent from his post, to his great shame; and if my scheme for regimenting these four hundred men (w^{ch} you will meet with in my letter to the Council of Trade) takes, then the Lieu^{t} Colonel or Major will properly succeed to Ingoldesby's Company. There ought be a world of care taken in the choice of the Lieu^{t} Colonel, Major, and Captains that are sent over, and I must relie on your favour of that matter, otherwise I shall have a parcel of Tories and perhapps Jacobites put upon me by a certain gentleman who sits one of the Council of Trade, whose custome it is on such occasions to make sale of imployments to any sort of trash as will give him money. That most valuable design of Naval Stores depends in a great measure on the choice of good discreet officers to manage and influence the souldiers in working; therefore it behoves us to be very carefull in that point.

Capt. Nanfan my Lieu^{t} Governor here is necessitated to go to Barbades to look after his wife's fortune; I desir'd you about a year ago to get and send the King's leave for his being absent four or five moneths from his post. He is now going by my consent, since he must otherwise quit his imployment if I did not consent.

I am under all the uneasinesse in the world at the intollerable folly and mismanagement of M^{r} Weaver and M^{r} Champante. M^{r} Weaver had received a £150 of the King's mony from S^{r} W^{m} Ashurst without any direction from me, and M^{r} Champante has been foolish enough to let him have £425. of the King's mony and still without any direction of mine, and sends me a foolish account of M^{r} Weaver's, and bill of exchange, w^{ch} you will receive wth the other papers, and bids me reimburse my selfe. When the Councill and I came to examine M^{r} Weaver's account, w^{ch} is the foundation of his bill of exchange, we found it so extravagant, that not a

man of us (nor I whose interest it is to allow it that I may be reimburs'd) could consent to almost any one article in it. The marchands here getting the wind of this, are not willing to let me have mony on my bills of exchange drawn on Mr Champante; they have such a notion of his unfitnesse for businesse, and thinks he squanders the rest of the King's mony as he has done this to Weaver. So that I, that had begun to pay the Officers and souldiers their subsistence in mony duly every Saturday, am in a fair way of being ruin'd for want of credit to hold on paying the subsistence weekly. But this is not all; Mr Champante has neglected to send the souldiers cloaths; he sent a few suits by the Advice frigat, and he had much better have sent none, for a few souldiers cloath'd gives discontent to the others that are naked. In short the recruits I have sent to Albany are gone away in all the discontent imaginable for want of cloaths, so that I fear I shall hear of some notable mischief this winter at Albany, and now the River is shut up with ice, so that 'tis not in the art of man to send up the cloathing if it were come till the begining of April. One Capt. Wake who arriv'd here above a moneth ago wth a stout marchand ship was to have brought Mr Weaver and the souldiers cloathing, and he and Weaver fell out and arrested one another, and Mr Champante writes me word Mr Weaver told him Capt Wake refus'd to bring the cloathing. Mr Champante should not have taken Weaver's word in that case, who must be suppos'd prejudic'd against Wake, but should have taken a refusal from Wake himselfe; but I am satisfied Wake never refus'd to bring the cloathing. I sent for him last Wednesday and he offer'd to take his oath that the cloathing was never offer'd him; he own'd that Mr Weaver spoke of bringing the cloathing with him. Mr Champante has writ four or five letters to me, but he is always in such hast that he cannot send me an account of the King's mony, how he lays it out, except that £425. to Mr Weaver. I never intended Mr Champante for Agent for the forces here, but desir'd a friend of mine to whom I sent a letter of Attorney wth a blank for the persons name, to fill it up wth the name of a trading man who I knew understood that sort of businesse, but that friend put in Mr Champante's name. I thought it proper to acquaint you with this whole story, that I might not be accountable for any ill consequence that may happen here from the ill conduct of Mr Weaver and Mr Champante. Every man has his faults and failings, more or less, and 'tis enough for a man to answer for his own faults, and not to be answerable for other men's. Certainly every man that knows the eternall toil of businesse I undergo in this place, and the opposition and trouble given me by an angry party of men here, will judge I have enough to perplex me here, without being so very ill us'd by those I trust in England.

The trouble of this usage makes me very indifferent as to the truth of what's reported here of my being speedily to be call'd home. Tis said the Bp. of London has writ to the Minister of this place Mr Vesey, who herds with the angry party, that by Easter he and his friends will be rid of their grievance. Mr Basse too has writ to several people in the Jersies that I shall speedily be displac'd and he shall be a main instrument in getting it done. As to the good Bishop he has espous'd Fletcher, wth all his corruptions, against me: I have nothing to say to him but that he is as wise as he is learned. Basse is the most a scowndrel that I ever knew; he will bragg and lye with any man living, even with Coll. Fletcher, and is a rank coward, was kick'd on board the Deptford in our voyage from Barbados hither. I sav'd Mr Heathcot and his partners some thousands of pounds that Bradish and his associates ran away with, and they have been such clowns as never to send me a line of thankes. I am, with respect, Sir,

Your most humble and
faithfull Servant

I desire you will do me the favour to assist me in getting the mony I laid out for my journey to Rhode-Island, by your own order, and for taking Gillam the Pyrate. It was laid out in Boston governm^{t} where the King has no sort of revenue; and here it will not be allow'd by the Cômiss^{rs} of Accounts, who to speak truth are in the right on't. The Lords of the Treasury are very nice indeed, if they will not allow payment for such services as are done by the King's order. I inclose to you the account, and desire the money may be paid to S^{r} Jo. Stanley for my use.

I have sent to look for Gillam the Pyrat's money, but have not yet found it, and have writ to M^{r} Penn to examine those men whose names were sent in the list, and who live in Pennsylvania. One Henry Head was lately in the country looking for Gillam's mony, as I hear.

Since my writing to you to get Mathews and Bulkeley two of the Lieutenants exchang'd the L^{t} Governor interposes so heartily for 'em, and undertakes for their faithfull behaviour to the King that I am prevail'd on to continue them in their present posts.

M^{r} Sec. Vernon.

(Account above referred to)

Account of mony laid out by the Earl of Bellomont in His Ma^{ts} service.

	£	s	d.
To Charges in his journey to Rhode Island to speed His Ma^{ts} cômission of Inquiry into the irregularities of that Government,	71	17	3
To the seizing James Gillam a Pyrate w^{ch} was ready mony disburs'd by y^{e} s^{d} Earl	60	—	—
	131	17	3
Both the above sums were paid in N. Engl^{d} mony w^{ch} in Stêrl. mony makes one hundred pounds twelve shill^{s}	100	12	0

The above is a true account

BELLOMONT.

Lords of Trade to Secretary Vernon.

[Mus. Brit. Lansdowne MSS. No. 849, fol. 88.]

Whitehall, December the 19th 1700.

Sir,

We have lately received from the Earl of Bellomont some important passages relating to the Forts at Albany and Schenectady, and send you here enclosed the extracts thereof, together with a copy of an address presented to His Lord^{p} by some of the principal Inhabitants of the City and County of Albany upon the same subject.[1]

Being very sensible it is necessary that some speedy and effectual care be taken for the reparation of those Forts We shall press the Earl of Bellomont to use his utmost endeavors to persuade the General Assembly of New York to take care of that matter.

But having already represented to their Excellencies, the late Lords Justices (in our Report of the 4th of October last, relating to Naval Stores, and the security of His Majesty's

[1] For this Address, see ante, p. 752.—ED.

Plantations in the Northern Continent of America, which we then sent to you,) that we did neither conceive the Province of New York to be able singly to beare the charge of erecting and maintaining such Forts as might there be necessary; nor thô it were able, that it would be reasonable to expect the said Province should alone provide for the defence of a frontier wherein y^e^ security of all His Majesty's Other Plantations on that Continent is concerned; and having thereupon proposed to their Excellencies what we humbly conceived most expedient for the effecting of that work; We desire you would please to lay this whole matter before His Majesty together with our foresaid Report, for such speedy directions thereupon as His Majesty shall think fit.

We are, Sir,

Your most humble servants

(signed) STAMFORD.
PH. MEADOWS
WILLIAM BLATHWAYT
JOHN POLLEXFEN
AB^r^ HILL
GEO. STEPNEY
MAT. PRIOR.

R^t^ Hon^ble^ M^r^ Secretary Vernon.

Lords of Trade to the Earl of Bellomont.

[New-York Entries, D. 66.]

To the Right Honorable the Earle of Bellomont His Majesty's Captain General and Governour in Cheif of His Majesty's Province of the Massachusets Bay, New Yorke and New Hampshire in America and of the Territories thereupon depending &^c^ Or to the Commander in Cheif of His Majesty's Province of New Yorke for the time being.

My Lord

We have very lately received your Lordships letters of the 17^th^ 24^th^ and 28^th^ of October last, and have them now under consideration with all the papers relating thereunto, in order to such directions and answers as shall be necessary: in all which we will make what dispatch we can, and in due time give your Lordship a full account thereof.

But in the mean while having considered what your Lordship writes in several paragraphs relating to the forts at Albany and Schenectady and more particularly the Address presented to your Lordship by some of the principal inhabitants of Albany upon that subject; we think that matter of so great importance that we would not make any delay to acquaint your Lordship that we intirely agree with the sense of the said Address and with whatever your Lordship has writ about the necessity of repairing those Forts.

The orders that were sent your Lordship for building a fort in the Onondage country were in pursuance of your own advices, upon the occasion of the allarm of the general insurrection of Indians; which worke we also thought very necessary. But those orders were never intended to hinder or interfere with the repairing of Albany and Schenectady at the same

time; which we think so absolutely needfull that unless those two nearest forts be kept up in a sufficient state of defence, the building of a fort in so remote a part as the Onondage country will in case of war by its falling into the enemies hands without our having any other place of retreat and security for our Indians, be of much worse consequence than if there were no such fort.

We earnestly intreat your Lordship therefore to use your utmost endeavours that the Assembly of New York do speedily apply themselves for the repairing of those forts; towards which you seemed by your letter of the 28th of February last, to hope they might be disposed to furnish materials. And tho' the hopes you there express of improving the revenue so as to answer the rest of that charge be built upon the expectation of having a good Judge and Attorney General, sent from hence to your assistance, which is not yet done; we desire your Lordship however to press the Assembly therein all the arguments and means that you judge most likely to be efficacious. If they cannot be disposed to be at the charge of building those Forts of stone, they may do it of sodd. If they cannot provide for the whole charge all at once, they make a beginning with what is most necessary. It is of the greatest importance that the worke be done and therefore the utmost endeavours must be used in it.

And we further desire your Lordship either by writing or speaking to the Governours of His Majesty's other plantations in your neighbourhood to endeavour to dispose them as much as possible to influence the Councils and Assemblies in their respective Governments to a contribution towards so necessary a worke. We are

My Lord

Your Lordships most humble Servants

STAMFORD
PH: MEADOWS
Wm BLATHWAYT
JNo POLLEXFEN.
GEO: STEPNEY.

Whitehall Decembr 20th 1700.

The Earl of Bellomont to the Lords of Trade.

[New-York Entries, D. 220.]

To the Rt. Honourable the Lords Comrs for Trade & Plantations.

My Lords.

I did not think to trouble Your Lordships with another letter this winter, after my long one of the 28th of November last; but Mr Weaver being newly arriv'd after a passage of 13 weeks and bringing me your Lordships letter of the 19th of September it gives me a fresh occasion for writing.

I send your Lordships my reply to your observations on the Acts of Assembly of this Province (No 1.) which I hope will give your Lordships satisfaction, and will induce you to report favourably of them to the King, especially the three following Acts mentioned in your Lordships said observations, vizt that for preventing vexatious suits &c that for indemnifying all such persons &c and lastly, that for Repealing an Act of Assembly &c I can assure your Lordships

the Revenue had never been obtained by me, had it not been upon the consideration of those three Acts, and the rejecting them would be a great mortification and discouragement to those people that gave the Revenue (against the humour & endeavours of an adverse party) to shew the loyalty and affection to the King. I also look on my self as unkindly used, if those Acts be not approved at home. Your Lordships seem'd to be of the same opinion with me in your letter of the 11th of last April, and to have made the same discrimination of men and parties here, and for proof of it I send your Lordships a Copy of two paragraphs in your said letter of the 11th of April (N° 2)

Your Lordships have favoured me with a Copy of Mr Mountague's memorial of the 13th of August last. Mr Weaver assures me that Mr Champantè had prepared an answer to the said memorial, & was to lay it before your Lordships when he came away; so that I will not give your Lordships the trouble of a particular answer to all the parts of the Memorial, but only to two or three points, on which Mr Mountague builds his false deductions and wrong reasoning. In the first place he pretends to be commissioned by several hundreds of the gentlemen and other inhabitants of this Province to oppose some of the Acts of Assembly that we sent to England. I cannot but call in question the truth of such instrument, as he pretends was signed by severall hundred persons in this Province, and sent to him to oppose those Acts. If there had been such a body of the inhabitants averse to the passing of those Acts, 'tis a wonder they petitioned not the General Assembly against them, while they were passing, which is always done where a body of people look on themselves like to be hurt by a bill depending before the Assembly; but there was not the least struggle against the bills, but by tbree of the Council, who were either concern'd in the irregularities of the late governments or in the extravagant grants of land. I confess I have a jealousy if such an instrument was sent over to Mr Mountague with some hundred names to it, that it was forg'd, and those names writ by a Club consisting in a few persons. There are people in this town that are capable of such a slight.

Mr Mountague takes upon him to call the present Assembly a pretended one, whereby he would insinuate that the Representatives were not fairly elected; but I will put my reputation upon it, & all the fortune I have in the world that there never was so fair elections of Representatives in this Province before, and I do not beleive there was the least foul play or illegality used in any of the elections. The only piece of management that I could hear was used in the elections, I remember I acquainted your Lordships of, which was, that after the writts were out, the Sheriffs of this & the adjacent Counties agreed among themselves that the elections in those Counties should be on one and the same day, which was a thing purely in the Sheriffs power to do, and cannot be reckon'd unfair.

Mr Mountague would make the commitment of Mr Burt and Wilson, a great offence, calling it arbitrary and illegal, and is so disingenuous as to charge it on me singly, as my act, tho' he knows very well it was done during the Session of the Assembly and that the Council and I did it in our Legislative capacity; wherein we had the concurrence of the House Representatives; and if I may beleive Coll. Smith and Mr Graham, who are our chief Judge & Attorney Generall, the Governour and Councill hvae druing the Session in such cases a judiciall power, like that of the House Lords in England, and can hear and determine civill causes (not appealable to the King) and imprison the parties offending. If the proceeding against Burt and Wilson was extra-judicial, why then have we not an able Judge and Attorney Generall to set us right, and keep us to the strict rules of law. In this case we acted by the best advice we could have here, and it was done to discover a fraud put on the King in his revenue of Excise.

As to the Act for vacating some of Collonell Fletcher's extravagant grants of land, I doubt not but Mr Champantè has before now answered Mr Mountague's tedious ill digested arguments and objections to that Act, and therefore I will breifly observe only two or three of them, which he seems to fancy invincible. He affects to be thought witty in reflecting on Collonel Heathcot's grant of part of the King's Garden, which says he is but 50 foot long, and yet is number'd among the extravagant lands. But by his favour a grant may be extravagant as well in it's nature and quality as in its extent and quantity. For instance, I fancy it would pass for an extravagant grant if the Crown granted away St James's Park, no less than if New Forest or the Forest of Dean were granted away, and it was much more impudent & unjust in Collonel Fletcher to sell away that piece of the Garden to Heathcot (which was robbing all succeeding Governours of their necessary convenience in a garden) than the granting Mr Dellius near fourteen hundred thousand acres in one grant. I was offer'd a gardiner that would have repaired that garden and put it in good order and suplied my family with all garden stuffe gratis, if he might have had the overplus profits of the garden to himself and a lease from three years to three years, which was a great offer, but I could do nothing in it till the Vacating Act were approved by the King. The King's Farm too had been better applied to the use of the Governour (and more justly so because it was intended by the Crown for the Governour's demesne) than to the Church; for Collonel Fletcher might have found out another and more valuable glebe for the Church if he would have denied himself the sale of other lands and consequently the pocketing the mony he sold the lands for. As for the wrong which Mr Mountague pretends would be done the Grantees (because of their charges for improvements) if the Act should be confirmed by the King, I will easily answer that argument. Upon the best information I can find, there is not a Christian inhabitant on either of Mr Dellius's Grants, neither that whereof he was sole grantee, nor t'other wherein Coll. Schuyler and other were partners with him vizt the Mohack's land. The same thing I am informed of Collonel Bayard's Grant, who by the way has part of the Mohack's land in his grant, as I formerly acquainted your Lordships. Captain Evans's great grant of 40 miles one way and 30 another has but one house on it, or rather a hutt where a poor man lives and that hutt built by one Captain Mac Gregory[1] a Scotch man who was killed at the time of the Revolution here, and his widow said to be compelled by Collonel Fletcher to sell her house and land to Capt. Evans for 30 or 35£. to the ruin of herself and family. And to give your Lordships an account of the merit of Captain Evans; when I was at Rhode Island severall complaints were made to me of him, and some affidavits given me of his robbing ships and people on pretence of impressing seamen for the King's ship in that government where he had nothing to do. Collonel Nicholson when he was here lately, told me that Evans went with the King's ship to Virginia and there in the night stole a great number of hogsheads of Tobacco, and the custom thereof, and brought it away. Collonel Nicholson told me the number of hogsheads, but I have forgot. He was much exasperated against Evans and said he would complain of him home to England: it was truly a great misdemeanour to rob the King in his own ship. Mr Livingston has on his great grant of 16 miles long and 24 broad, but 4 or 5 cottagers as I am told, men that live in vassallage under him and work for him and are too poor to be farmers having not wherewithall to buy Cattle to stock a farm. Collonel Courtland has also on his great grants 4 or 5 of those poor families; but in his case there is yet something worse than in any of the others. He had first one great Grant of 20 miles

[1] For some account of this gentleman, see III., 395. — Ed.

square, which would not content him, but just upon my coming from England, he obtains another grant of Fletcher of 20 miles square also, and in the patent there is a priviledge annexed which in my opinion is cause enough alone for breaking his grant, that is, that after 20 years that mannor (for both grants were erected into a mannor) should choose and send a Representative to the Generall Assembly. There are two grants more in the Province that have that priviledge in the patents; which is very irregular and illegal in my apprehension. Old Frederick Phillips is said to have about 20 families of those poor people that work for him, on his grant. I do not hear that Frederick Phillips's son, Colonel Schuyler, Collonel Beeckman or Collonel Smith, have any tenants on their grants; and I hear but of one that M^r^ Nichols has on his great grant on Nassau Island and he a Scotchman condemned in Scotland to be hanged with Jamison Clerk of the Council in Colonel Fletcher's time for blasphemy and burning the Bible. Jamison, young Graham and Honan Fletcher's Secretary at War and private Secretary, have a grant of Fletcher of three hundred thousand acres of Land, against which there are many complaints, and so there are against most of the other grants I have named, many people being violently stripped of their lands by these grantees, supported by the favor of former Governours.

'Tis observable that most of the grantees were of the Council in Fletcher's time, which is a great aggravation of their breach of trust; for they were obliged by their oath to advise and act in all things for the King's best interest and advantage.

Then for Collonel Fletcher's instructions from the King which M^r^ Mountague has been at the pains to transcribe in his memorial; he shews want of judgment in offering that clause in justification of the Grantees and their title. For no Governour before Fletcher had that unlimited power of disposing of the Crown Lands in this Province, and that instruction being unpresidented turns with greater force against Fletcher, making the fraud more apparent, because that clause was premeditated and contrived. 'Tis a very presumptious and unnatural act to make the King defraud himself, as by that clause in the instructions he is made to do. How common a thing is it in England to break grants of lands made immediately by the King himself, when 'tis found that the King is deceived in his grants. Here the reason is yet stronger, that fraudulent grants made by a corrupt Governour should and ought to be made void.

I beleive there are not less than seven millions of acres granted away in 13 grants, and all of them uninhabited, as I have before observed, except M^r^ Ranslaer's grant which is 24 miles square, and on which the town of Albany stands; that grant being made when this Province was first settled by the Dutch the lands are fallen into many hands by the Dutch way of dividing them equally among their children; so that it would be a hardship to deprive the present occupants of their lands. But 'tis reasonable they should pay a Quit Rent to the Crown of half a crown p^r^ 100 acres and I beleive most of the people concerned in those lands would freely submit to such a quit rent if they could be well warranted and secured in their title for the time to come. The vacating Act sent home is fully justified by your Lordships representation to the Lords Justices of England & their Excellencies order to me, grounded upon your Lordships said representation and by the Act of Parliament in England which passed last Session to resume all the Irish forfeitures which had been granted away by his Majesty.

M^r^ Sollictor Generall's report to your Lordships is very oddly drawn (to say no more of it) & shews he had a great deal of other business on his hands and left the report to his Clerk to draw up.

I am not angry with Mr Mountague for his memorial nor the many errours and untruths in it; he has done it mercenarily and for a livelyhood. He is made use of as the organ to convey a parcel of untruths to your Lordships which were infused into him by the factious people of this place. I doubt not but Mr Champantè will have made a substantiall answer to Mr Mountague's frothy memoriall long before this letter will reach England.

If the Vacating Act I sent home had been approved by the King, I beleive the Generall Assembly would have broke all the rest of the extravagant grants in the province last Session. They were in the humour of doing it, but that the Acts being so delayed at home discouraged them.

The suspension put on that Act breaks all my measures; Your Lordships have been often told that till that Act be confirm'd in England, the King has neither land nor woods in the Province. How then can I comply with your last orders in your letter of the 19th of September, of trying to mar (make) tar with the Soldiers? Besides I proposed 12d a day Sterling, as a reward for each soldier, which is 15½d of this mony, and alters the case very much, and 40 acres of land for each soldier after 7 years service, which would cost the King nothing and yet be an advantage and security to the country and an incouragement to the soldiers; for if I cannot engage them to work heartily at first, my project will fail me. Therefore if your Lordships mean this design of making tar shall go on, let the Vacating Act be passed in England and new orders to me and the Assembly to break the rest of the exorbitant grants, with orders also to me to give the soldiers 12d pr day sterling apiece, and such a proportion of land to each officer and soldier as I formerly proposed, and then I will immediately begin to work. The soldiers must be paid every Saturday their reward, therefore 'tis not possible to pay them out of the produce of their work as your Lordship propose in your letter of the 19th September, but if I may be allowed to draw for £500 home, for a beginning, I doubt not but I may be able to pay them on afterwards out of the produce.

I sent your Lordships, with my letter of the 28th Novr last, my articles and bond with two honest undertakers for Masts for the King's ships. For fear that packet should miscarry, I again send the said Articles (N° 3) and the Bond for performance of the Articles (N° 4.) my instructions to the Undertakers to secure the woods where the masts grow, for the King (N° 5.) and a list of prices paid to Mr Taylor for masts and of such lower prices as Mr Bridger offer'd to furnish masts for, as pr his paper, which I sent your Lordships with my letter of the 22d of last June, and lastly the price I have now agreed for with these Undertakers, which list is (N° 6.) I cannot but think that this bargain for masts is a very valuable peice of service, and that alone is a sufficient refutation of Mr Mountague's tinsel arguments in his memorial. I believe I may venture to say I shall be able to furnish all the King's dominions with masts yards and boltsprits from these very woods, and that I shall save England a 100000£ a year; whereof the King's share of the mony sav'd will I fancy amount to a 5th of that sume or 20000£. a year. The Carpenters I sent to view those woods last year, assured me there were masts enough to serve the Kings navy a 1000 years. I tell your Lordships their own words.

Your Lordships letter of the 19th Septr is writ with that unusual coldness in relation to the Vacating Act I sent home, and not incouraging me to prosecute your former orders of breaking the rest of the grants that are exhorbitant, that I was just going to break of my bargain with the undertakers for masts and to write to them to leave of cutting the masts. But then I considered the consequence of such an order might in all probability do a world of hurt, not only in discouraging the Undertakers, but also in alarming our Indians and giving them some

jealousy that might prejudice them against our building a Fort at Onondage. I perceive they are made to beleive I am in disgrace with the King and that I am to be superseded in this government. This they told as news to Collonel Romer when he was in that Country.

There is a messenger newly come from Albany who brings word the Undertakers for masts were very forward with their work, that they had drawn several masts out of the woods to the side of the Mohack's River, ready to float down when the river is open, for at present 'tis froze up. I am certain the Undertakers have agreed with the Mohacks that the King shall have their woods, because I directed them to make a sure bargain for the King, before they offer'd to begin to work, for fear of giving the Indians the least disgust. I have no letter from them, for the messenger says they were felling the masts and drawing them out of the woods when he came away. If the Undertakers knew that the Vacating Act is still unapproved by the King, I am confident they would immediately leave off working in those woods, for fear M^{r} Dellius and the other grantees of the Mohack's lands and woods should sue them for a tresspass and recover great damages againt them. It were better that things of this kind were never called in question, I mean these fraudulent grants, than not to be vigorously prosecuted when once they are begun to be questioned. A slackness in the orders from home makes every thing uneasy here & discourages a man that has an honest zeal to serve England.

I have no doubt upon me as to the making tar with the soldiers, when your Lordships have done your part in getting the Vacating Act finally passed, and that you have complyed with the other three Articles, viz^{t} 12^{d} p^{r} day sterling for each soldier, a credit for £500 to begin the work with, & a liberty of rewarding the officers and soldiers with such proportion of land as I have formerly proposed, under such Quitrent as the Lords Justices of England order'd me in their letter of the 10th of November 98. As for the masts there is a demonstration of their being furnished, and as I writ in my letter of the 28th of November, so the same thing I now desire again, that your Lordships will order a Fly-boat or hag-boat of 500 tons to be here by the end of April or beginning of next May to carry away the masts. I desire your Lordships to consider too, that I run some hazard in raising a 1080£. New York mony on my own credit to pay for these masts, and shall be forced to draw bills on the Admiralty Board for that value; which bills I will inclose to your Lordships, that you may take such a course as shall be effectual to prevent a protest on my bills, which is a thing that has never yet happened to me, & the discredit of it would very much trouble me.

The have got about 40 saw mills up in this Province, which I hear rids more work or destroys more timber than all the saw mills in New Hampshire. 4 saws are the most in New Hampshire that work in one mill, and here is a Dutchman lately come over who is an extraordinary artist at those mills. M^{r} Livingston told me this last summer he had made him a mill that went with 12 saws. A few such mills will quickly destroy all the woods in the Province at a reasonable distance from them.

The trade of ship timber from New Hampshire and the Massachusets, to Spain and Portugal, will go on more and more, till there be an Act of Parliament to forbid and make it penal. For, to use a person's expression that has lately writ to me from Boston about the mischeif of that trade, those people laugh at your Lordship's order against it, and so they would at an order from the King. They know very well that nothing but an English Act of Parliament can hinder them, and such an Act would easily be obtained to pass, I should think.

The Commissioners of Accounts appointed by act of Assembly would perswade me they shall make Coll. Fletcher debtor to the King severall thousand pounds more than the Account I sent your Lordships two years ago made him to be. They name some others too, who they pretend they shall make very considerable debtors to the King. They talk of such sums to me as will go a good way towards building Fortifications; and our Fortifications in this Province and to the Eastward of the Massachusets, if they be built as they ought to be will cost £40000 sterling, with all the honesty and thrift that can be used. In the calculation I made and sent your Lordships with my last letter of the charge of building forts, I omitted that of fortifying this harbour & defending this town from a bombardment, which I beleive will cost 7 or 8000£. I lately sent Coll. Romer to visit the harbour, and his report is (N° 7.) 'Tis great pity this town should be exposed to the mercy of an enemy; 'tis the growingest town in America. Since my coming hither there are not fewer than a 100 fair brick houses built, and a very noble Town-house.

If the ship were not forced to sail because of the great quantity of ice that comes down the rivers I would entertain your Lordships with a further discovery of Collonel Fletcher's corrupt methods of getting mony; insomuch as he is reckoned to have got £30000 new York mony in five years and half that he was in this government; and I know his friends here compute that he made that sum while he was here. And I can make out most of it upon a probable estimate. He left no trick or fraud unpractised to get mony, and all under the mask of pretended piety and a zeal for the Church of England even to martyrdom, if people would have beleived him; but he was quickly found out, and the officers who first experienced his hypocrisy nick-named him the Pharisee. He was given to drinking, to corruption, and lying; but lying was his predominant vice, and some of his freinds have owned so to me, in softer terms. They have told me that Collonel Fletcher was a man of parts, & 'twas a pity he gave himself too great liberty in discourse, and that he had not a guard on his tongue. In a word besides the many frauds he has put on the King he has left behind him such seeds of disaffection sedition and immorality in the people here, as will require much time and pains to root out and extinguish. And I hope your Lordships will support me in the execution of your own orders, that you will in the first place make him refund all the mony he has cheated the King of, which the Commissioners of Accounts will (as they assure me) shortly prove undeniably upon him. Your Lordships know that several merchants in this town are his securities in a Bond of 10000.£. In the next place I hope your Lordships will still maintain your resolution of breaking all his grants of the lands, otherwise your acquiescence with his corrupt bargains will be look'd upon as a sanction given them, which I can never in the least imagine your Lordships capable of. If there were no other reason for breaking his grants and some few grants of other Governors than the making of tar, sending home ship timber and masts, surely every man that has a grain of sense and honesty must own that so important a service as the furnishing the King and his dominions with those things, outweighs all reasons and considerations whatsoever that can be offer'd in behalf of Fletcher and his grantees.

I remember I formerly returned M[r] Dellius's grant whereof he is sole grantee at about 900000 acres, and that upon M[r] Graham's report of its being 86 miles long and but 16 miles broad, who made that report by guess, for he own'd he never had seen that land. But some of the Dutch that have travelled that way have since assured me they judge it to be 25 miles broad, taking one part with another; and if so it contains 1376000 acres; which is a prodigious tract of country to grant away to a stranger that has not a child, that's not denizen'd, and in a word a man that has not any sort of vertue or merit.

I do not hear one word of our Indians since my last letter to your Lordships.

I hope the Lords of the Treasury will enable the Judge and Attorney Generall to come away speedily or we shall be all in confusion here. Justice is so strangely administered in our Courts here, that there are great complaints and dissatisfaction about it.

I rely on your Lordships favour for procuring me a reasonable salary, and some consideration for the time past. Surely I may pretend to deserve a mark of the King's favour for the cheap bargain I have made for masts. I am with respect

My Lords

Your Lordships most humble

New Yorke and obedient servant

Jan^{y} 2^{d} 170$\frac{0}{1}$ Bellomont.

I send your Lordships copies of my letters to the Lords of the Treasury, the Lords of the Admiralty and Commissioners of the Customs, by this Conveyance, (N° 8) (N° 9) (N° 10.) I send the Muster Rolls of my own and the Lieutenant Governour's Companies; those of the two Companies at Albany not being yet come; the said Muster Rolls are (N° 11.) I send Collonel Smith's letter to me giving an account of the methods of proceeding in the Courts of Justice of this Province, pursuant to the order Your Lordships sent me with your letter of the 1st of August last. M^{r} Secretary Addington from Boston and M^{r} Partridge from New Hampshire write to me that they had transmitted the like reports to your Lordships. Collonel Smith's letter is (N° 12.) M^{r} Graham had been most capable of complying with your order, but I have not seen him above these four months; he keeps house and either is really sick, or sick of the Attorney Generall that's coming from England.

I send your Lordships two minutes of Council about M^{r} Weaver's pretension to almost two year's advance of salary, before his coming hither to execute his Collector's place; both the minutes are in one paper (N° 13.) Your Lordships will meet with my opinion of that matter in my said letter to the Lords of the Treasury.

I send your Lordships a copy of M^{r} Weaver's commission (N° 14.) wherein he has procured a clause to be inserted which gives him a power of making a deputy, notwithstanding what your Lordships lately writ to me, and observed the abuse of an officer's having such a power. I find M^{r} Weaver intends very soon to make a journey to Barbadoes, which is so unreasonable a neglect of his duty that if he persists in it, I will most certainly suspend him and apply to the Lords of the Treasury to make another Collector. I take a great deal of pains to serve the King myself, and I will oblige all other officers in the government to take the same pains in their respective imployments, or I will turn them out and apply home for new ones in their places. Your Lordships were mightily in the right in intending to abolish for the time to come that clause in the King's Commission which impowers Officers to act by deputation. I hope your Lordships will order a new commission both for M^{r} Weaver and M^{r} Brenton without that clause, or I see plainly I shall never be able to keep them to their duty. And to prevent Officers from getting that or any other irregular power inserted in their commission, I could wish your Lordships had the last supervisal of all Commissions for civil imployments in the Plantations & no such commission to be authentick unless it be attested by your Secretary to have been approved by your Lordships.

Colonel William Smith to the Earl of Bellomont.

[New-York Papers. Bundle, P. Q.; P 17.]

My Lord.

I have with Your Lord$^{p's}$ letter of the 22nd instant received a coppy of their Excell^{cies} the Lords Justices of Englands order in Councill of the 18th of July last as also a copy of the order of the Right Hon^{ble} the Lords Commiss^{rs} of trade and Plantations whereby you are required to [send] their said Lord^{ps} an account of the method of proceeding in the several courts upon tryalls of all sorts of causes within this province, which your Lord^{p} is pleased to Comand me to report to you, and for answer I do humbly offer to your Lord^{p}.

That the Courts of law in this province establish'd are the Corporation Courts who derive their power from Charters granted from severall persons who have heretofore commanded this province. And the provincial courts which are authorized from an ordinance of Your Excell^{cy} and Councill in virtue of the powers given you by His Maj^{ties} letters pattents under the great Seal of England and am humbly of opinion that the coppyes of such Charters and of the ordinance aforesaid would be best manifest to their Excell^{cies} by what rules and methods we are govern'd in all tryalls which is the common law of England and that severall statutes there made declarative thereof and as near as may be according to the manner and methods of His Maj^{tys} Courts at Westminister Hall, except in the Court of Appeals, which consists of the Governour or Commander in chief and his Majesty's Councill for the time being and is constituted by His Maj^{tys} letters pattents. And the proceedings in appeales hath heretofore been in manner and forme hereafter expressed (that is to say) any person or persons if they think meet may appeal from any judgement obtained against him or them in case of Error in any of the Inferiour Courts aforementioned to the supream Court, for any judgement above the value of £20. and from the supream Court to the Gov^{r} and Councill from any judgement above the value of £100 and from the Gov^{r} and Councill to His Maj^{ty} in Councill for any decree or judgement above the value of £300 agreeable to His Maj^{tys} letters patents and the method and rules in such appeales have been that the partyes so appealing do first pay all costs of such judgement or decree from which the appeal ariseth, or either deposit the mony or enter into recognizance with two sufficient sureties for double the debt or matter recovered against him or them to the said Court to which they appeal and that they will prosecute the said appeal with effect and make return thereof; if from the supream court to the Gov^{r} and Councill in six months if from the Gov^{r} and Councill to His Maj^{ty} in Councill within twelve months after the said appeal or appeals so made, and if default happen thereof then execution to issue out upon the judgement against the parties or their sureties in course without any scire facias.

That in all appeales from the supream Court the party appealing files the errors with the clerk of the Councill, then a day is assigned for the hearing them and the party defend^{t} hath or may have coppyes thereof and a convenient times to fill his answer, and the whole matter is duely heard and examined with such proofs and allegations that either party can offer and further time given if the matter so require and upon a full hearing and due consideration of the whole thing the Judgement of the supream Court is either affirmed or reversed and if either party will appeal from such decree to His Majesty in Councill it hath always been allowed complying with these foregoing rules.

That in the Court of vice Admiralty here we have in all things as neer as possible followed the proceedings of the Admiralty Court in England save only where greater power is given

here in the plantations by act of Parliament to the Admiralty, then is allowed of or practicable in England which hath been duely observed in my administration in that Court in this province.—

As to the Court of Chancery your Lord^{p} well knowes there is at present none established, nor do I find that Court hath hitherto in this province been under any certain regulation — This is my Lord what I could in the little time I had to do it in observe to your Lord^{p} on this head, and is what I humbly conceive may answer the end, your Lord^{p} in what concernes appeales to England will be it may be more particularly informed from the Secretary and Clerks through whose hands such appeales have went, and to whome all returnes are made; I have here given your Lordship such account as hath occurred to my observation — I haveing hurt my hand and am obliged to use another in writing, these do pray that mine and my wifes humble duty and service may be acceptable to your Lordship and my very good Lady and that I may [have the] honour of being esteem'd as I am with much truth

Your Excell^{cy} most obedient and very humble servant

Mannor of S^{t} George's
Nov^{r} the 26. 1700.

W^{m} Smith.

Earl of Bellomont to the Lords of the Treasury.

[New-York Papers, Bundle P. Q.; P 18.]

N. York the 2nd Jan^{ry} $17\frac{0}{01}$.

My Lords.

I did myselfe the honour to write to your Lord^{ps} the 23^{d} of Nov^{r} last, and then objected against that part of M^{r} Weavers Commission w^{ch} entitles him to 200£ a year salary from the 25th of March 99. as Collector of this province, which I and the Councill think a hardship put upon the province; the revenue being clogged with anticipations and therefore the publick service faintly carried on. The debts of the Government are about £5000 which we are not able to overcome and discharge, the necessary charge of the Government being so great. The Kings house in the Fort here is ready to fall on my head, the souldiers barracks much out of repair, and the fort in an ill condition, one of the Bastions ready to fall, and the greatest part of the Palisados wanting. M^{r} Weaver arrived here last Monday after 13 weeks passage: 'tis I recommended him formerly to your Lord^{ps} favour, and would still do him a reasonable kindness, but not to disoblige a whole Country for him, by his Commission he is entitled to a year and three quarters sallary before he comes upon the place or be in the execution of his Imployment, which gives great disgust to all people here, and perhaps will be the means of the provinces refusing another time to settle a revenue, which I with some difficulty brought the Generall Assembly to agree to last May was twelmonth. I send your Lordshipps two minutes of Councill about M^{r} Weavers salary, or rather the advance of it.

Your Lord$^{p's}$ ordered by your letter of the 1st of July 99. that M^{r} Brookes's accounts should be exam^{d}. I was then, and have been till lately, out of this province, and so could not take any course therein his accounts are now with the Commissioners of accounts appointed by act of Assembly, who pretend they shall be able to charge Coll: Fletcher, M^{r} Brookes and others with considerable sums of money that they are indebted to the King —

I hope your Lordshipps will please to settle an allowance for the Judge and Attorney Generall for this province pursuant to the Kings order in Councill for the publick business as well as the King suffers extreamly for want of them here, nobody here understands the drawing an act of Assembly and the Courts of Justice are managed att a strange rate, so that unless your Lordshipps will quicken the Judge and Attorney Generals departure frô England, I shall be forced to put off the meeting of the Generall Assembly, and likewise to adjourne the superior Court of the province (: both which would otherwise be the first week in April next:) to wait their coming, which delay may possibly be attended with great inconvenience to the King's service here— —I am with respect

My Lords

Your Lordships most humble and obedient servant

(: signed :) BELLOMONT.

Report of the Lords of Trade on the Forts in the Plantations.

[New-York Entries, D. 79.]

To the KING'S MOST EXCELLENT MAJESTY.

May it please Your Majesty

Your Majesty having required us to report the state of the several Forts in your Majesty's Plantations, We humbly take leave to lay the same before Your Majty and to propose what we conceive may be necessary to be done for their better security and defence.

The settlements of your Majesty's subjects in HUDSON'S BAY being reduced to a weak condition may in particular manner deserve Your Majesty's thoughts and recommendation to the Governour & Company of Hudson's Bay, that they employ their best endeavours for the security of their fort & factories there.

NEWFOUNDLAND is of great importance by reason of its trade and Fishery, which yeild to England about £300000 pr annm The Eastern Coast of this Island is inhabited by English who this last summer were computed to be 3773. The place of cheif strength is St John's Harbour which is now fortifying by your Majesty's command, and if the garrison which at present consists but of 40 men under the command of a Lieutenant were encreased to as many more (to be sent in the spring with the Convoys) your Majesty's subjects there will not lye so much exposed to an ordinary force by sea, nor be in danger of suffering from an enemy by land, as they did in the late war, when they were destroyed by the French from Placentia.

ON THE CONTINENT your Majesty has one continued dominion for at least 17 Degrees beginning from the River Stta CROIX, and Coll: Romer the Engineer has by order from the Earle of Bellomont survey'd all the Coast from St Georges to Boston, and sent us draughts of the principall Bays and Rivers, which we humbly lay before your Majesty with the condition of several places which are thought necessary to be fortifyed.

The entrance into St GEORGES RIVER being difficult because of several islands and rocks in the bay of MUSCONCUS, a small redoubt and battery upon the neck of what is now called BELLOMONT'S BAY is judged sufficient for the security of that river.

About five leagues to the westward of S[t] Georges lyes Pemaquid, a spacious river and of great consequence as covering three other rivers, Damarascot, Sheepscot, and Kennebec, and therefore deserves to be well guarded. At the entrance of this River within two leagues of the Main Sea formerly stood a Fort which at the approach of two men of war with 100 French and 500 Indians, was shamefully surrendered in August 1696 and demolished.

For the security of this Port and harbour and of all that country and to encourage people to settle there as formerly a good fort ought to be built in the same place or thereabouts, and for it's better defence in case of an attack from the sea, a battery may be raised on the next point of land, and a redoubt or round tower on John's Island.

Towards the mouth of Kennebec River (seven leagues from Pemaquid) are many little Islands; on that of Damaras-Cove there was before the war a pallisadoed fort for the defence of the fishermen and another on Cape Anawagon where they used to cure their fish; but to guard the entrance of the River a redoubt out to be raised on the Island Sagadahock and a little fort at New Town in Rouseck Island, two leagues up the River, where there was formerly a small square one pallisadoed,

Casco (six leagues from Kennebec) is a convenient Bay, on the north west point whereof was formerly a village called Falmouth and a wooden fort, both which having been destroyed in the late war; the Government of the Massachusets has ordered a new fort and trading house to be built thereabouts, which may be of good service.

Saco River (about nine leagues to the Westward of Casco) is but small and its navigation interrupted by a sandy bank at it's mouth almost dry at low water. Two leagues up that river on the Western side near the Falls stands a stone fort and a tower in the form of an irregular Pentagon, which ought to be kept in repair and Coll. Romer has marked out a place on Winter Harbour or Stage-gut point, four miles from the mouth of this river for the security of the fishery.

At Wells and Yorke are villages with little garrison houses which require no further consideration.

Piscataway (nine leagues from Saco) is an important river, being the boundary between the Province of Main and New Hampshire. On the great Island at the mouth of this river is a fort of 30 guns on New Hampshire side, but incapable of defending the river, yet the place where the said fort stands is very proper for building a good new fort, such as the growing trade of the place and country requires. Coll: Romer has sent a design thereof, and he adds that a good strong tower on the point of Fryar's Island, a battery on Wood Island, and another battery on Clerk's Island would be very necessary.

The Massachusets Bay has in it many Islands and among the rest Castle Island not far from Boston of great security to that harbour. In the said Island is a fort which Coll. Romer proposes to be repaired and enlarged; and for the better securing the passages and channels of the Bay, he further proposes some points of land to be provided with Batteries.

Rhode Island being the most important place on the South West side of Cape Codd, is so situated as to be a very convenient harbour for shipping and of security to that part of the Country in case it were put in a state of defence, which it has never yet been, by the mean condition and refractoryness of the inhabitants.

In the province of New York there is a fort for the security of that city and harbour, which is in an indifferent good condition; from thence 140 miles up Hudson's River is the Town and fort of Albany and about 20 miles from thence on another river is a place called Schenectady,

both which are of the greatest consequence towards the security of that Province and your Majesty's other plantations on the Continent.

In the ONONDAGE COUNTRY a sodd Fort is necessary towards securing the Five Nations of Indians in their allegiance to your Majesty; for which provision is already made by your Majesty's gift of £500, and a contribution of £1500 by the Assembly of New York.

The Provinces of EAST and WEST NEW JERSEY are without any forts or place of defence, and being Proprieties whose Governours are unqualified as not being approved by your Majesty, those governments are in great disorder, and nothing more can be proposed concerning them than that they should contribute to the defence of New Yorke.

The Province of PENNSYLVANIA is likewise without fortifications, nor are any desired by the Proprietor, which nevertheless might be requisite for the security of Delaware River.

Your Majesty's Provinces of MARYLAND and VIRGINIA are so situated that they are best secured by shipping and do not require any fortifications.

The Provinces of NORTH and SOUTH CAROLINA are under Proprietors who take upon themselves to provide for their own security.

Having laid before your Majesty this account of the Fortifications on the Continent, we humbly beg leave to add:—

That the Province of the MASSACHUSETS BAY being a numerous and wealthy Colony enjoying great priviledges by Charter, ought to be required to repair erect and maintain at their own expence the fortifications in the forementioned places under that government, and most particularly the Fort at Pemaquid, the cheif-frontier of that Province towards the French and their Indians, which was well kept up whilst it remained under the immediate government of the Crown; the said forts being necessary for the security of the timber and fishery on that coast & to encourage the resettling the Province of Main and the more Eastern parts which have been destroyed and laid wast in the late war, by the mismanagement and neglect of the Massachusets Government.

That the said Province of the Massachuset's Bay ought also to be assisting to the Province of NEW HAMPSHIRE in their Fortifications.

That the Province of NEW YORKE being another frontier, exhausted by the extraordinary charge it was at for it's own defence during the late war, and the several fortifications there being of too great expence to be supported by that single Province Your Majesty has been graciously pleased to appoint £2000 towards the fortifying of Albany & Schenectady; and we hope upon the signification of your Majesty's royall pleasure to the other plantations, who are greatly concerned in the security of that frontier, they may be induced to contribute thereunto according to the proportion which we have stated as follows viz[t]

Rhode Island and Providence Plantation	150 Pounds
Connecticut	450.
East New Jersey	250.
West New Jersey	250.
Pennsylvania	350.
Maryland	650.
Virginia	900

Making in all 3000 Pounds Sterl.

In this repartition we have omitted North and South Carolina as to any part of that charge, because of the duty incumbent on those Proprietors to maintain and defend that Province, which is likewise a frontier fit to be secured.

And in order to excite the several forementioned Plantations to contribute in their respective proportions to the charge of securing the frontiers of New Yorke, we herewith lay before your Majesty the draughts of letters relating to each of the said Plantations (as also to New England for the fortifying their own coast) in pursuance of your Majesty's commands signifyed to us by the Right Honble Mr Secretary Vernon.

All which nevertheless is most humbly submitted

(signed) Stamford
Ph. Meadows
Wm Blathwayt
Jno Pollexfen.
Geo: Stepney
Mat: Prior.

Whitehall January 10th 1700.

Earl of Bellomont to the Lords of Trade.

[New-York Entries, D. 241.]

To the Right Honble the Lords Commissioners for Trade and Plantations.

My Lords.

Your Lordships will meet with the reason of this ship's stay till now, in my letter of the same date with this to the Lords of the Admiralty a copy whereof (is mark'd A.) A foot messenger arrived last night from Albany, and brought me the good news of a bargain made with the Sachems of the Mohack Indians, a copy whereof is (mark'd B.) in Dutch and in English is (mark'd C.) I send your Lordships a copy of Mr Freeman's letter (mark'd D.) He is the Dutch Minister at Schenectady and a very good sort of man, and is one of them that witness the writing or covenant with the Mohacks for their woods. Mr Schermerhoorn one of the undertakers is a very sensible man and has managed this bargain with the Mohacks very skillfully. The design was so privately carryed between him & his partner and my self, that not a man of the Anti-Leisler party knew or dreamt of it, till it was actually concluded and the felling of the masts begun. For the articles, bond, and instructions to the Undertakers I drew with my own hand to keep the matter secret. I am satisfyed had I employ'd Schuyler or any of his party to make the bargain with the Mohacks for their woods, they would not have done it without finding their account in it to the King's cost. And if they had had wind of my imploying Mr Schermerhoorn and Beeckman, they would have spitefull enough to have puzzl'd the bargain all they could.

I have three very useful designs on the Carpet, which will be much for the King's Service, viz^{t} the furnishing of Naval Stores from hence, wherein I doubt not of success in the whole, as in the article of masts, yards, and boltsprits, which is a part, (and for which there is

demonstration by what the Undertakers for masts have already done) provided your Lordships give me that sapport and assistance which you have often promised in getting the Vacating Act approved by the King which I sent home, and sending new orders to me and the Assembly to break all the rest of Fletchers extravagant grants of land and some others made by former Governours. I do not desire new orders upon my own account, for I know the former are vallid, but to animate the Assembly.

My second design is to invite the Onagongues or Eastern Indians to come and settle at Schackhook in this Province, and to make a perpetual league & friendship between them and our five Nations; by which means I will strengthen our Indians and disappoint the French of those Eastern Indians who were as so many swords in their hands against us. For this purpose I make use of Coll: Schuyler's brother, who has an interest in our Schackhook or River Indians that are to be the instruments to prevail with those Eastern Indians to come and settle at Schackhook. What progress Capt. Schuyler has made in that matter your Lordships will learn from his letter to me, which I received last night and which is (mark'd E.)

My third design is to ingage the Dowaganhas Twictwicts Dienondades and all those numerous nations in a trade with us, which the French by their Missionaries have at present monopoliz'd; but I hope in a year's time to be able to give your Lordships a good account of those nations, if I may be allowed to use my own methods and that I be well supported by your Lordships. If I can bring things to bear according to my expectation and hopes, I fancie I may once within a year tell your Lordships you may set the French at defiance and laugh at all their projects to circumvent us, their new settlement at Mechisipi and Canada and Nova Scotia put together.

In order to this design the Beaver trade ought to be incouraged by the Parliament, all duties wholly taken of, both here and in England from Beaver and other peltry exported from this Province. Some French merchants lately come from England to live here, assure me that the French King to incourage the Beaver trade had ordered the Parliament of Paris to put forth (an Arrest as the French call it) an Act requiring all the hatters to mix a certain quantity of Beaver's furr in all their hats, under a severe penalty; which is a wise course, and I wish our Parliament would take such a course to help the consumption of Beaver which at present is grown almost out of use in England, since Carolina hats have been so much and Beaver hatts so little in fashion.

I am extreamly importun'd to erect a Court of Chancery, many people being like to be ruin'd for want of one. I shall therefore very soon settle that Court tho' I should make no decrees till the arrival of the Judge and Attorney General. But at present I am much inconvenienced by the want of five Counsellors for under that number I cannot hold a Court of Chancery. The Council are now but seven: Coll. Schuyler never comes near us and lives a 150 miles off at Albany: M^{r} Livingston lives there too, but comes pretty often hither when the season of the year permits; Coll. Smith comes as seldom as he can and lives 100 miles off; and M^{r} Graham tho' but 8 miles off has not been here almost these five months. So that we have but three Members of the Council that I can be sure of attending, if the occasion were ever so important. I must therefore (since the Kings instruction allows me not to add to the number of seven Counsellors) suspend two of the present Council that will not attend and add M^{r} Weaver who as Collector ought to be one, and M^{r} William Lawrence of Newtown in Queen's County in

Nassau Island an honest understanding man, to be the other. Mr Lawrence has a good estate and must be distinguished by the place of his dwelling from another of the same name and sirname, who has not so good a character.

I am with much respect
My Lords
Your Lordships most humble
and most faithfull Servt
BELLOMONT.

N. Yorke the
16th Jany 170$\frac{0}{1}$

P. S. I send your Lordships the Muster Rolls of the Companys at Albany which came last night.

Reverend Mr. Freeman to the Earl of Bellomont.

[New-York Papers; Bundle P. Q.; P 23.]

Schenegtade the 6th Jany 170$\frac{0}{1}$

May it please Your Excellency.

I have received your Excellcis letter of the 15th Novr 1700. whereby I understand that your Excellcy was satisfied with what I had done to promote the Gospell among the Indians, I shall also use my utmost to intreat them to be firm in their allegiance to His Majty and for as much as appears to me they are good subjects to His Majty whereof they desire me to give your Excellcy an account—

Your Excellcy may remember that there are not above one hundred Maquasse in number, thirty six whereof have imbraced the Christian faith, ten whereof thro' the grace of God are brought over through my means for I found but twenty six — I shall do my utmost with the rest—

So wishing Your Excellcy a happy new year and continuation of your health recommending myself to your favour—I remain

Your Excellcies most obedient servant
B. FREERMAN.

Captain John Schuyler to the Earl of Bellomont.

[New-York Papers; Bundle P. Q. P 24.]

Albany the 7th Jany 170$\frac{0}{1}$.

May it please Your Lordship

In obedience to your Lordship's letter of the 7th Novr last I have indevoured since the receit thereof to procure Indians from Shackhook to send messengers to the Onnagongwaes, but could not till now, being all have been a hunting till the 17th of December last, when I was

informed that some of them were come home, I went thither on the next morning with seven hands of Wampum to desire some of the chiefest to my house to hear the proposals your Lord^{p} orders me to lay before them, but finding none of their chief Sachems at home, I perswaded them to send for them and appointed the 3rd of this inst: for them to meet at my house, who accordingly came, and after I told them with seven hands of Wampum, that your Lord^{p} desires three of them to go to the Onnogongwaes with a fine belt of Wampum and invite them to come and live here at Schackhook, and enter with them and the Five nations in the Covenant chain, and to assure them of the Kings protection and Your Lord$^{p's}$ kindness so well in presents as others and to perswade the Onnogongwaes to send four or five of their chief Sachems hither to treat with your Lord^{p} at New York on the first day of April next, to which they made answer that they were very glad to see their father striving with such care for to make them a great nation, and that instead of three men they resolved to send four. Gave 10 deer skins and desired five days time to appoint Indians with such necessaries as that journey requires; To morrow I expect the names of the Indians appointed, and therefore went to M^{r} Mayor desiring him to stop the post till then, thinking to give your Lord^{p} an account of them, which could not well be done, but by the next shall not fail in giving your Lord^{p} an exact account of my further proceedings—

May it please your Lordship.

I am informed by two Frenchmen lately come from Canada (the one with his wife and family) that the Gov^{r} there makes preparation against next summer to settle two forts upon Cadaracque river to take up such as run away from Canada towards Ottowawa without the Governours liberty.

As I am further informed there are severall French at the North end of the wood creek waiting for others which they expect from Canada upon the same design as the Frenchmen are who were by Your Lord^{p} last fall at New York, of which here is still one at my house. There is also a considerable number of French Indians a hunting. If Your Lord^{p} hath any commands to Canada or that way be pleased to order me who intends thither shortly. In case the season doth not permitt to stay for your Lord$^{p's}$ commands, shall notwithstanding indevour to inspect as well into the proceedings of their Indians as the French, in the mean time I shall take all opportunities to demonstrate myselfe with all obedience how much I am

Your Lordships

most humble and most obedient servant

JOHANNIS SCHUYLER.

Report of Colonel Romer on the Harbor of New-York.

[New-York Papers; Bundle P. Q.; P 12.]

[TRANSLATED FROM THE DUTCH.]

My Lord.

Pursuant to your Excell^{cies} verbal order of the 7th of December 1700, to measure the distance across the Narrows, and to sound the depth of the water there, as well as in a second arm of Hudson's river called the Coll, between Staten island and East Jersey, and to ascertain

whether any ships and bombketches could come around by Amboy and consequently attack the city of N. York: item, to select a couple of places both at the Narrows and the Coll, where suitable fortifications could be erected, and the enemy thereby be forestalled in his undertakings, I on measuring the same, have found the distance between the heights (*hoofden*) to be one and ½ mile English in breadth from shore to shore.

In regard to the depth of water, I find across from Long Island to Staten island 4. 4. 4. 4½: 6. 11. 12. 13. 12. 9. 6. 6. and 5 fathoms right under the shore of the aforesaid Staten island. By the second sounding from Staten Island to Long Island ¾ of a mile farther south, where the river is narrowest, I find right under the shore, 5. 6. 12. 14 and 15 fathoms in the deepest part of the channel; this depth then falls off immediately to 6. 2 and 1½ fathom of water where there is a Bar (*riff*) +° which, with a point northerly towards N. York, runs into Long island and westerly ⅙ part across the Narrows, and S. S. E towards Sandy Hook runs past Long Island hook where it shoots around E and E by North (*O en O by N.*)

Now for the fortification of the Narrows, I am of opinion that there ought to be, both on Long, and Staten Island, a sufficient Battery with a good Redoubt on each height, enclosed with proper lines of defence communicating with the respective Batteries, and that each be furnished with 30 guns carrying 18@24 lbs. ball.

In regard to the other branch of the Hudsons river, called the Coll, between Staten Island and East Jersey, I have sounded it from Amboy up to Tampsons point and Elizabeth town and find from Amboy to the abovenamed points 8. 7. 6. 5. and 4 fathoms of water, it then becomes shallow with a very crooked Channel +° having no more than 11@12 feet of water at spring tide, so that a ship can indeed come up as far as Tampson's point aforesaid, but with difficulty, because the river runs narrow and crooked. In order, now, to hinder the approach of any vessel, I am of opinion that it can be effected by the erection of a battery on Schutter's island 12 @ 13 miles from New York; with this, it is impossible for any ship, sloop or boat to run up or down.

I consider myself bound particularly to submit to your Excell^{cy} the great importance of Sandy Hook, and entertain that opinion, because reason and the Rules of War agree, that an enemy must always be kept as far off as can possibly be done, that a good blockhouse and other fortification ought to be erected on the aforesaid Hook, as they would be very useful there, the channel and entrance being very narrow, and vessels on that account must pass immediately under this Hook, whilst the East banks lie sheer by and over the Hook running up to the North and East, and it is therefore very dangerous. For these reasons a good Blockhouse and Fort of 50 guns might answer, and prevent any enemy coming by water into my bosom, and oblige him to stand out to sea on a dangerous coast.

Further and lastly, an enclosed battery of 12 @ 13 guns ought to be erected at the narrowest part of Hellgate, to prevent the entrance of an enemy at that point also.

All this being done, I am persuaded an enemy will bethink himself a hundred times before he will meditate any attack on New York.

(signed) W. W. Römer

New York January 13th 170$\frac{9}{1}$.

The King to the Earl of Bellomont.

[New-York Entries, D. 87.]

To Our Right Trusty and Right Well-beloved Cousen Richard Earl of Bellomont our Captain General and Governour in Cheif of our Provinces of the Massachusets Bay, New Yorke & New Hampshire in America and of the Territoryes thereupon depending &c: or to the Commander in Cheif of our Province of New Yorke for the time being:—

Right Trusty and Right Well-beloved Cousen We greet you well. Whereas it is requisite that the general security of our plantations upon the Continent of America be provided for by a contribution in proportion to the respective abilities of each Plantation; and whereas the Northern frontiers of our Province of New Yorke, being the most exposed to an enemy, do require an extraordinary charge for the erecting and maintaining forts necessary for the defence thereof; We have been graciously pleased to give the summe of £500 sterling towards a fort in the Onondage Country and £200 sterling towards the rebuilding of the Forts at Albany and Schenectady; And have also by letters under our Sign Manual directed the Governours of divers of our Plantations to recommend to our Councils and the General Assemblies of our said Plantations that they respectively furnish a proportionable summe towards the fortifications on the Northern Frontiers of our said Province of New Yorke: Our further will and pleasure is that for the better promoting of so necessary a work you also signify to our Provinces of East and West New Jersey that the sums which we have at present thought fit to be contributed by them in proportion to what we have now in like manner directed to be supplyed by our other Plantations as aforesaid, are £250 sterling each; and that you accordingly call upon them for the said summs for the use aforesaid.

And you are also in our name and upon the consideration of our Royall goodness and care as before expressed, instantly to recommend to our Council and the General Assembly of our Province of New Yorke that they exert the utmost of their power in providing without delay what further shall be requisite for the repairing erecting and maintaining of such forts in all parts of that Province as you and they shall agree upon.

You are likewise to signify to them for their further incouragement that besides the contributions to be made towards the raising and maintaining of forts and fortifications on that frontier, as above mentioned, we have also directed that in case the said frontier be at any time invaded by an enemy our neighbouring Colonies and Plantations upon that continent shall make good in men (or mony in lieu thereof) their quota of assistance according to the repartition herewith sent you; pursuant whereunto you are, as occasion requires, to call for the same. And in case of any invasion upon the neighbouring Plantations, you are to be aiding and assisting to them in the best manner you can.

And you are withall to signify to our said Councill and the Generall Assembly of our Province of New Yorke that according to their behaviour on this occasion they will recommend themselves to our Royall Grace and favour. So We bid you heartily farewell. Given at our Court at Hampton Court the 19th day of January 170$\frac{0}{1}$. in the Twelfth year of Our reign.

By His Majesty's Command

JA: VERNON.

Repartition mentioned in the foregoing letter.

	£	Shill	Pence
Rhode Island and Providence Plantations	150	" 00	" 00
Connecticut.	450	" 00	" 00
East New Jersey.	250	" 00	" 00
West New Jersey.	250	" 00	" 00
Pennsylvania	350	" 00	" 00
Maryland	650	" 00	" 00
Virginia	900	" 00	" 00
	£3000	" 00	" 00 Sterl.

The Quota of men to be furnished by His Majesty's respective Plantations on the Continent of America towards the defence of the Frontiers of New Yorke in case they be invaded by an enemy.

	men
Massachusets Bay.	350.
New Hampshire.	40.
Rhode Island	48.
Connecticut.	120.
New Yorke.	200.
East New Jersey.	60
West New Jersey.	60
Pennsylvania.	80.
Maryland.	160
Virginia.	240.
	1358.

The King to the Earl of Bellomont.

[New-York Council Minutes, VIII., 253.]

WILLIAM R.

Right Trusty and Right Well beloved Cousen We greet you well. Whereas by our letters bearing date the 10th day of February $\frac{1699}{1700}$. we thought fit to give you several directions relating to the tryall of pyratts in our Province of New York, and whereas an Act of Parliament is since past for the more effectuall suppression of pyracy, pursuant to which a Cômission under Our Great Seal of England has been also sent you, impowering you and others to proceed accordingly in reference to our said Province and to our Provinces of East and West Jersey and Connecticut, Our Will and Pleasure is that notwithstanding any thing contained in our foresaid letters of the 10th of February $\frac{1699}{1700}$ you henceforward take care to govern your self

in matters relating to pyrats according to the intent of the Act of Parliament & Cõmission aforementioned. But whereas Accessories in cases of piracy beyond the seas are by the said Act left to be tryed in England according to the statute of the Eight and Twentieth of King of Henry the 8th We do hereby further direct and require you to send all such Accessories in cases of Pyracy in our foresaid Provinces of New York, East and West New Jersey and Connecticut, with the proper evidences that you may have against them, into England, in order to their being tryed here. And you are to give notice of our pleasure herein to our Province of East and West New Jersey and to the Governor and Company of our Province of Connecticut, that they conform themselves thereunto. So we bid you heartily farewell Given at our Court at Kensington the 2d day of February 170$\frac{0}{1}$. in the Twelfth year of Our reign.

By His Majesty's Command.

Ja. Vernon.[1]

Lords of Trade to the Earl of Bellomont.

[New-York Entries, D. 120.]

To the Right Honble the Earl of Bellomont His Majesty's Captain General and Governour in Cheif of His Majesty's Province of the Massachusets Bay, New Yorke and New Hampshire in America and of the Territories thereupon depending &c. Or to the Commander in Cheif of His Majesty's Province of New Yorke, for the time being.

My Lord.

In our letter of the 20th December last we acknowledged the receipt of those we had then from your Lordship, and not having since received any other, we shall now proceed to answer them more particularly.

We are sorry to observe what your Lordship continues to write about the heats that are between the differing parties in New Yorke, and as the reconciling of their minds and disposing them to an unanimous concurrence in whatever offers for His Majesty's service and the good of the Province is infinitely more desirable than the advancement of one party to the dissatisfaction of the other, we doubt not but your Lordship will accordingly always make that your aime, and we hope your prudence will in the end effect it.

In the meanwhile as you are pleased [to] say that you are not discouraged by the unreasonable opposition you have met with there; so we intreat you not to entetain any suspicions that your services are slighted here. For we, at least for our parts, have been always ready to do your Lordship all the good offices that lye in our power; as in particular, in relation to the Establishment of your salaries, we have represented the state thereof (as was proper for us to do) for His Majesty's consideration, and if the effect have not yet answered our wishes, your Lordship will undoubtedly have an account from your Agent of the obstructions he has found therein.

[1] The letter in the *London Documents* being a mere draft, prepared for His Majesty's signature, it has been considered best to print the above Official despatch from the *New-York Council Minutes*. — Ed.

We have also recommended to the Lords of the Admiralty your accounts relating to the Timber, laden or intended to be laden in the ship Fortune; which is all we could do in that matter. But we are very sorry to understand that both that ship and lading have been cast away on the coast of Cornwall.

The miscarriage of this ship we suppose will make your Lordship very cautious in sending any thing hither of value, upon a publick account, without express order for it; and we hope you will extend that caution to the great masts that grow above Albany, concerning which we desired you by our letter of the 11th of April last, to try how they could be got down the great fall, and to compute at what rates they may be delivered on ship board at New Yorke; but did not give any directions for the sending of them home. And your Lordship will do well therefore not to engage too far therein, till farther order.

The pay of the soldiers being now so well established that they have their subsistence every fortnight and their clearings every two months; we dout not but Mr Champantè may remit it from time to time without putting your Lordship to the trouble and difficulties that you say you have found in drawing.

And as we were at first well satisfied with the Character that you gave us of him, so we still esteem him to be a diligent and prudent person, very capable of that imployment; and besides as to the reason which inclines your Lordship to desire that the Agent should be a merchant that so the soldiers pay might be the more advantagiously invested here in commodities and sent by sea, we do not think it of much weight, because the King for certain will not bear that risque, & however zealous your Lordship is for the publick service, having before us the fresh instance of the loss of the ship Fortune, we cannot be too tender of your private interest to incourage you to undertake that method upon your own hazard.

As to the augmentation of 4d pr day in the pay of 100 soldiers, which your Lordship desires may be allowed in order to the imploying of them in the production of naval stores; there being an Establishment for all His Majesty's forces, pursuant and in proportion to what is allow'd by Parliament, we do not think fit to propose any alteration therein; believing your Lordship will be very well able to give them that or a greater incouragement by the method we offer'd in our letter of the 19th of September last; to which we referr you

And for the further incouragement of all the soldiers in New Yorke, His Majesty having been pleased upon our representation of the hardship that has lain upon them by the deduction of 30 pr Cent out of their pay, to make a new establishment commencing the 25th of April last, pursuant whereunto the deduction is but 10 pr Cent. We send you here inclosed a copy of our said representation, and also of that Establishment.

As to the overplus that will arise upon this Establishment for the Contingent uses of the Companyes, we suppose it will be as necessary for those uses, and may be employed therein, to as good purpose as any other way. And lest any farther directions should be wanting thereupon, We desire to know how that overplus and likewise how any summe that has arisen by dead pays, have hitherto been disposed of.

The Muster Rolls that you sent us have been delivered to the Agent, to be lodged by him in the proper offices.

What you write about the clamours of the recruits sent from England for their sea pay shall be laid before the King.

Major Ingoldsby has been with us & desired permission to stay longer in England in order to the stating his accounts with the Lord Ranelagh. We send you herewith the Copy of his memoriall, but have not found any thing for us to do upon it.

We were glad to understand by the close of your Lordship's letter of the 17th October last that the Eastern Indians had submitted to our Five Nations, and renounced their dependance on the Governour of Canada, and hope that by your continued prudence in managing all those Indians, that agreement will be improved to the advantage and security of all his Majesty's Plantations in those parts. But nevertheless the inclosed extract of a letter from Quebec of the 13th of October last which has been communicated to us, will shew your Lordship that the French had another notion of their interest amongst the Indians, particularly even amongst our Five Nations, at that very time. And it may be a new argument (if any were wanting) to keep your Lordship in a constant watchfullness upon all their proceedings.

We have perused the Conference you had with the Indians at Albany and do agree with your Lordship that the less such things are published to the world, the better; and that therefore it is not fit they should be printed, but rather transmitted to us (as this) in writing.

And having considered what we find therein and what you farther write about the allowing some French Coureurs de Bois (who lived amongst the remote Indians) a free passage thro' our Five Nations, in order to trade at Albany and to come & settle there; we think you ought to be very cautious in that matter, for it appears to us to be dangerous.

However the promoting a trade with the Dowaganhas and ingaging them to come and settle in a friendly manner in the neighborhood of our Five Nations (which your Lordship also mentions in the same place) seems to be very desireable; tho' we are doubtfull by what you write of the 24th of October about the Dionondades falling upon some of our Indians that it will hardly be effected, and we are apt to suspect as you do that the Dowaganhaes themselves have not been sincere in their proposals about that matter, which still is a further ground for great caution in all transactions either with the French or the Indians that are influenced by them.

The desire of our Indians that boundaries may be settled between the French and them, seems very reasonable; but as we see little ground to expect that it will at present be done here, we can only recommend it to your Lordship that you take the best care you can to hinder the French from incroaching upon them.

What your Lordship writes of the ill condition of the stores, and more particularly of the beds sent from the Ordnance, has been laid before the King, and directions have been given for sending 100 good beds more, with sheets and coverings &c as you desire, as likewise 1000 felling axes for cutting of timber, as desired formerly, and also spades shovels and other utensils necessary for the building of forts. Of all which we have given notice to Mr Champantè and doubt not but he will take care to send them when opportunity presents. The cloathing for the soldiers which you did not receive by the Advice Frigat, he tells us were sent about two months after by Capt Mote, and we question not but he will have satisfied you in the reason of it.

Concerning the forts at Albany and Schenectady having laid before the King our opinion upon what you have writ and sent us about the necessity of their being put into a good state of defence, and about your want of a credit for drawing small sums at a time as may be necessary in order to begin the building or repairing of those forts; His Majesty has been pleased to order us to acquaint you that besides the £500 already given towards the Fort in the Onnondage country, the Treasury has directions to answer the bills you shall draw upon them from time to time, as those occasions require it, to the sum of £2000.

We are glad your Lordship has prevailed with the Assembly of New Yorke to repeal the Act for securing the Indians, which you did not like, and to give a tax in lieu of it; and as by

that means we suppose sufficient provision is made for building the Fort in the Onondage country, so we hope you will take care it be put into such a condition that it may resist our enemy in case of a war, and not be in danger of falling into their hands.

On the 10th of last month we laid before His Majesty a representation relating to the state of the Forts and fortifications on the Continent of America and we send you here inclosed a copy thereof as likewise of our letter to Mr Secretary Vernon on the same subject. You will by them perceive what we offer'd in relation to all your Governments, and more particularly in order to the farther defence and security of New Yorke, and His Majesty having thereupon been pleased to approve and signe the letters that we had prepared for yourself with respect to your several governments, and for the respective Governours or governments of Rhode Island, Connecticut Pennsylvania Maryland and Virginia, we send you here inclosed all His Majesty's said letters, and because they are sealed we send you likewise copys of those which are not for your self, that in sending them forwards you may better know what to write along with each of them.

With these we also send you another letter from His Majesty relating to the preservation of timber in the Provinces of the Massachusets Bay and New Hampshire, which His Majesty was pleased to direct us to draw in pursuance of our representation on that subject; whereof we sent you a copy in our letter of the 30th of October last. And as your Lordship does complain of Mr Partridge Lieutenant Governour of New Hampshire as a Cheif promoter of an undue timber trade from thence, and we have formerly given you our opinion that it is not fit for any Governr of His Majesty's Plantations should be an ordinary trading merchant in any kinde whatsoever, we desire you to propose to us some other fit person to be put in his place; after which we will represent farther to His Majesty upon those matters as shall be necessary.

As to the £500 which is desired by our foresaid to Mr Secretary Vernon might be advanced & remitted to your Lordship immediately in part of the £2000 aforementioned; we send you here inclosed an extract of his letter to us of the 21st of the last month, which shows you that His Majesty has agreed to it and given directions to the Lords Commissioners of the Treasury accordingly; so that this matter lying now wholly before them, and Mr Champantè having accordingly applyed himself to them about it, we refer your Lordships to him for farther information.

By our forementioned representation concerning Forts &c you will perceive that we have had all Coll: Romer's memorialls draughts and plans, together with what your Lordship has writ us upon that subject, under consideration. And as his draughts of the Rivers upon the Eastern coast of New England seem to be very exact and more particular than any we have seen of those parts; we desire he may be further directed to joyn them together and so make one continued draught of that whole coast from Sta Croix to Cape Cod, and that your Lordship would send us a copy thereof.

We much wish also that your Lordship could procure a good map to be drawn of all the Indian Countrys in the neighbourhood of His Majesty's Plantations; marking the names of the several Nations (as they call themselves and are called by the English and French) and the places where they inhabit; and that you would send us such an one for our better light into matters relating to those Indians.

And as your Lordship has now travell'd thro' many places in or near your governments and we cannot doubt you have made observations upon the nature state and condition of those places which might be usefull to us upon many occasions, we desire you would communicate the same to us in some separate letter as you find leizure from the ordinary course of your business.

We have also laid before His Majesty a representation relating to the forts and fortifications in His Majesty's Islands, and by reason of the imperfect memorials that we have from all parts, having therein set forth the necessity that all His Majesty's governours as well upon the Continent as in those Islands should be required to transmit hither a perfect account of the state of defence of each plantation under their government respectively; His Majesty has been pleased to direct us to require the same; and we accordingly desire your Lordship to take notice of it, with respect to the plantations whose militia is under your inspection, as well as those that are more immediately under your government.

In representing the necessity of building or repairing forts in New Yorke, your Lordship again mentions Coll: Fletchers debt, and says, that the service is too pressing to stay till he may be compelled by law to refund &c You see by what we have writ already, that other care is taken about those forts. Howevers as to Coll: Fletcher's debt it were well that matter were determined, and since you cannot proceed against him there, you will do well to furnish the Lords of the Treasury with proofs and evidences in order to his prosecution here.

We observe what you write about the encrease of the revenue, and are very well satisfied with your care therein.

If you can get any farther light (as you say you expected) into the method of paying the bottoms of ships with brimstone, we still desire to have an account thereof.

As for the want of a Court of Chancery, we think the difficulties you find in holding one, ought to be no stop to the proceedings there; the rather because great complaints have been brought hither of such stops in other colonies, and it is still uncertain when the Attorny and Sollicitor, intended for New Yorke, will be dispatched.

We have acquainted the Lord Bishop of London with your having suspended Mr Smith the Chaplain to the Soldiers, and with the account you give us of his character

We are very sensible of what you write about the advantages that might be made by having some Ministers sent to live amongst our Indians, and we think it would much promote those advantages if such ministers had (besides other qualifications) a little skill also in physick and chirurgery. The French Missionaries have insinuated themselves and strengthened their interest amongst the Indians by those means, and we ought not to neglect them. But the getting of a maintenance for such Ministers is the difficulty. We are doing what we can here with the Corporation for evangelizing Indians, and we wish your Lordship could find a way to make some use of what Sir William Ashurst has proposed to you from them, untill better can be obtained.

We are now about preparing a report upon the Act for vacating extravagant Grants of Land, in which your Lordships reasons for vacating those Grants shall be offered to His Majesty. We intend also shortly to lay before His Majesty the New England address about Harvard Colledge &c with a representation upon that subject. As to the reference that lyes before us, upon the desire of some Inhabitants of New Yorke, that the government of that Province should not be in the same hands with the government of the Massachusetts Bay; we have not yet done any thing therein, and your Lordship may be assured we shall weigh maturely what you have writ us on that subject, and be very carefull before we report upon it.

We writ you formerly about sending the Acts of Generall Assemblies, which concern private persons, under distinct Seals without fastning them to those that are of a publick import; and we now add that we think there would be a conveniency in sending all publick Acts also, in the same manner, each of them under separate Seal; provided still that they be either writ or

printed in such a form that they may conveniently be bound up in volumes as there shall be occasion. Which method we desire therefore may be observed in all your governments.

The commissions for trying of Pirates in his Majesty's Plantations pursuant to the late Act of Parliament for the more effectual suppression of Piracy having been brought to us the 24th of the last month, we did on the 27th commit those which concern your Lordship as Governour of New Yorke & of New England to the care of Mr Champantè and have understood from him that the Commission for New England was sent by Mr William Rous, Master of the ship Andrew and Samuel, who parted from hence the next day: and in farther reference to both those Commissions we now here send you inclosed His Majesty's letters relating to Accessories in cases of piracy beyond the seas who are not to be tryed by the said Commissions.

Upon considering the length of many of your Lordships letters and also of some of our answers occasioned by the mixture of business of different kinds, we offer it to your thoughts whether it would not be an ease and conveniency both to you and us, to divide different matters a little more into different letters, that so distinct answers may be returned to each of them without staying till one answer can be given to the whole. We are

My Lord

Your Lordships

Most humble Servants

STAMFORD
LEXINGTON
PH: MEADOWS.
Wm BLATHWAYT
Jno POLLEXFEN.
Abr HILL.
GEO. STEPNEY
MAT. PRIOR.

Whitehall February 11th 170$\frac{0}{1}$.

Earl of Bellomont to the Lords of Trade.

[New-York Entries, D. 270.]

To the Right Honble the Lords Cômissioners for Trade & Plantations

My Lords.

I send this day by a ship bound for Holland, but is to touch at some port in England. I am not satisfied how far Aliens made Denizens in England are qualified to be admitted owners and masters of ships by the Register here, but having the advice and consent of the Council therein, I do at present permit them, untill I have your Lordships pleasure, and therefore I desire your direction in those quæries. 1st Whether Denizens made in England are qualifyed to be admitted owners and masters of ships by the Register here. 2d quæry, Whether if they are qualifyed, what proof of denization shall be accounted sufficient to us here, whether a certificate thereof from a publique Notary in London, or what other. 3d quæry, Whether Scotchmen are qualifyed to be owners & masters of ships. I desire your Lordships will be speedy in your answer, because it is of great consequence to the trade of this place.

Here hath been a villanous design to imbezzle the books accounts and papers of His Majesty's revenue. Coll. Courtland late Commissioner of the Revenue dyed 25th November last, having the books accounts and papers of the Revenue in his custody at his decease. On the arrival of Mr Weaver on the 30th of December last with the King's letters patent he being admitted and sworn Collector and Receiver of the Revenue, could not find any of the books accounts and papers in the publique Office; he often demanded them from the Executrix and son of Coll: Cortland but could not procure them, so that he applyed to my self and the Council on the 27th January last, and produced a warrant from the Commissioners for stating the publick accounts of the Province appointed by Act of Generall Assembly, directed to him and commanding him to lay the publique Accounts of the Revenue before them. Whereupon we made an order as by the minute thereof herewith sent (N° 1) On the 30th of January the Cortlands (delaying to get their Accounts ready) excused themselves as by the said Minute of Council appears. On the 11th of February they produced to my self and the Council some extracts of the publique accounts, very imperfect and not originals, but did not produce any of the Books of the Revenue. Thereupon myself and the Council finding that they purposely delayed the time that they might continue on to receive the publick Revenue as they had done from the death of Coll. Cortland, and fearing that if we were not very cautious in managing them they would wholly suppress and imbezle the King's books, We on the 15th of February made an order that the members of the Council should audit the said Accounts on the 18th following; on which day several memorials from the Commissioners for stating the Publick Accounts and from Mr Weaver the Collector being given in, wee have proceeded according to the Minute of Council of the 18th of February herewith sent (N° 2) wherein your Lordships will perceive what mischievous designs and practises have been in relation to his Majesty's Revenue and what just grounds we had to proceed in the method we did; which hath been successfull, for thereby we have seized most of the books of the publick Revenue which they positively refused to deliver to the gentlemen of the Council who demanded them, and have likewise seized many recognizances given for the payment of Excise, by virtue of which the widow of Cortland demanded and received several sums of that part of the Revenue since her husband's death, and it will cost us some difficulty to discover how much. But we have a deposition of one sum which is transmitted in the said minute of Councill.

The Gentlemen of the Council at first view of the extracts found one article of £95. for which the King had no credit given him and without question there are several others; which was so great an alarm to the Cortlands that had we not luckily seized the books that night we have reason to believe they would never have been found or produced. Now the books &c are in our Custody they shall forthwith be delivered to the Commissioners of the Publick Accounts who (as they express in their memorial) without them were at a full stop and could not proceed in the Trust reposed in them by the Act of Generall Assembly, and likewise the Collector may repair to them and peruse them, without which he would be altogether in the dark where to demand any arrears of taxes, Quit rents or other branches of the revenue. And indeed I am apt to believe it was what the faction reckoned a master-piece and depended upon it to put all the Government here into confusion, by advising the widow Cortland to detain the publick Books. Coll: Bayard being her brother in law and Mr Nichols her nephew her cheif counsellors, both which were removed from the Council by me at my first coming to the government, for reasons which your Lordships have thought sufficient to confirm their removal, and both which have extravagant grants of land (as I have in former letters mentioned) which they with

several others fear I shall, for his Majesty's service, get broke by the next Assembly, if the former Act for vacating Extravagant Grants of Lands, pass the King's approbation, which I hope to have an account of in Lordships next packets to me, I shall only observe further that I am of the same opinion with the Collector who in his memoriall doth beleive that the Cortlands were incouraged to these practises to the prejudice of his Majesty's revenue by reason there is no Court of Exchequer in this Province to call them to an account, nor untill your Lordships are pleased to send us an able Cheif Justice and Attorney General can we prosecute or proceed against them, which consideration will I hope dispose your Lordships to hasten them over to us.

On the 27th day of January I swore Mr Weaver one of His Majesty's Council in the place of Mr Graham[1] who dyed some days before; and I desire your Lordships approbation of him that he may be confirmed by his Majesty. I am with respect

My Lords

Your Lordps most humble

New York February the 21st 170$\frac{0}{1}$. and obedient servant

BELLOMONT.

[1] JAMES GRAHAM was a native of Scotland, and is found a resident merchant of the city of New-York as early as July, 1678: *Book of Deeds*, V., 304, and a few years later, proprietor of lands in Ulster county, Staten Island, and in New Jersey. He succeeded Mr. Rudyard as Attorney-General of the Province of New-York on 10th of December, 1685, and was sworn of the Council on the 8th of October, 1687: *New-York Council Minutes*, V., 142, 207. When the government of New England and New-York were consolidated by James II., Mr. G. removed to Boston as Attorney-General to Andros, the odium of whose government he shared, and on whose downfall he was committed to the castle: *Revolution in New England Justified; Byfield's Account of the late Revolution in New England, in Force's Tracts, IV.; Hutchinson, I.*, 354, 388. He returned to New-York in 1691, where his enemies assert that he insinuated himself into the confidence of Leisler and his friends, so as to procure their interest to be chosen member of the Assembly, of which he was afterwards elected Speaker. He became, soon after, the mortal enemy of Leisler and Milborne, of whose murder he is charged, by his adversaries, with being "the principal author:" *Dunlap's History of New-York*, I., 207; II., xlvii., xlviii. Thomas Newton, Sloughter's Attorney-General, having left the Province in April, 1691, disapproving, probably, of the harsh measures of the government towards the state prisoners, George Farewell was appointed to act in his place; but this appointment not being satisfactory to the Assembly, Mr. Graham became again Attorney-General in the following May: *Assembly Journal*, I., 8, 11, 12; *Council Minutes*, VI., 29. He was about nine years Speaker of the Assembly, i. e., from 1691–1694; 1695–1698, and a part of 1699, when the friends of Leisler being in a majority, the House voted a Bill of Indictment, in the shape of a Remonstrance, against their opponents, and had the cruelty to expect their Speaker to sign it. To enable him to avoid this unpleasant duty, Mr. Graham was called to the Council in May, 1699. His public career may be said to have now closed. He appears to have attended the Council for the last time, on the 29th July, 1700. He was superseded in October, of that year, as Recorder of the city of New-York, after having filled that office from 1683, with an interruption of only two years, and was deprived of his office of Attorney-General on the 21st January, 1701: *Council Minutes*, VIII., 160, 179, 192, but afew days before his death, which occurred at his residence at Morrisania. His will bears date 12th January, 170$\frac{0}{1}$, and is on record in the Surrogate's office, New-York: *Lib.* II., 95. He left all his property, share and share alike, to his children, Augustine (Surveyor-General of the Province), Isabella (wife of Lewis Morris, Esq.), Mary, Sarah, Margaret and John. The other members of the family consisted, in 1698, of one overseer, two white servants and thirty-three slaves: *New-York Colonial MSS.*, XLII. — ED.

Colonel Nicholas Bayard to Sir Philip Meadows.

[New-York Entries, D. 287.]

To the Hon^ble^ S^r^ Philip Meadows Kn^t^ one of the Council for Trade and Plantations.

Hon^ble^ Sir.

My fear of being troublesome has occasioned my delay before now to return my due acknowledgment for your Honours kind & favourable reception and advice at my taking leave from your Honour now near two years past. But since it has pleased God to call to himself our late Governour the Earl of Bellomont who departed this life the 5^th^ instant, I hope your Honour will pardon this my freedome of giving you this speedy account thereof, and withall to acquaint your Honour that the breaches and divisions within this Province are still continuing very hot, since it has been the Earl's pleasure to use no steps to quench the same. For till the day of his death most of the meanest and those of Dutch extractions have been put in all the offices and places of trust and power; by which means most of the principal and peaceable inhabitants and especially those of the English nation have been opprest. I dare not trouble your Honour with the particulars for it would require a vollum to do it, yet cannot but remind your Honour of the fears I then had, because a packt Assembly had been forced upon the Province by all the unfaire means and contrivances imaginable; nothing could be expected from them but trouble vexation and ruin, for those that were mark't out by them for destruction; And that several extravagant acts would be past to raise vast summs of money to pay the debts of Leislers usurpation and disorders in this Province &^c^ Whereupon your Honour was favourably pleased to give me that comfort and hopes, tho' any such Acts were past, they should not so easily meet with the Royall Assent.

But so it is, may it please your Honour that since that time a most false and most malicious remonstrance, has been framed and presented by them to the late Earl, in which they prayed amongst other strange matters, for an allowance of £2700 to the family of Leisler &^c^ tho' not a farthing was due to him (he being a broken merchant when he began the disorders, & now his family is crept into a very considerable estate. Yet by the intercession at home that has been made thereupon, those falsehoods have met with such success that now at the very instant of the Earl's decease a Committee of that Assembly was sitting, who called in, by Proclamation, all those mean people that had served Leisler in said disorders, to bring their claymes and losses in; which is done at extravagant rates (as to an old gun and sword seized of them by Governour Slaughter in their very act of Rebellion against his Majesty's commission, after publication within this Province, passes in value the sume of fourty pounds &^c^) in order to pass an act at the next session of Assembly to pay the same; and on the contrary those that have been robb'd, plunder'd, and most barbarously opprest by them, because they have been instrumental in supporting his Majesty's government against those disorders and had advanced their estates & hazarded their lives in the late warr against the French for his Majesty's service, and preservation of this Province, I say those must not only sitt down by their losses, but be scandalized with vile and false names of being Jacobites &^c^. I must therefore pray your Honour's goodness to afford your favorable assistance and advice as occasion shall offer, in opposing of those their extravagancies, if so be they presume to pursue the same; and particularly that the vacancy in the government may be supplyed by a worthy person of honour probity and justice; by whose sedate and peaceable temper and disposition our breaches and divisions may be healed.

I further make bold to inclose a list of the present Council and of some names of the principal free-holders and inhabitants who in my humble opinion and with due submission may prove to be most fitting to serve in that trust. I beg your Honour's pardon for this my freedom, and as in duty bound shall ever remain

Hon^{ble} Sir

Your Hon^{rs} most humble
and most obedient servant
N. Bayard

New York the
8th March 170$\frac{9}{1}$.

List of the Present Council.

Coll. W^{m} Smith
Coll. Pet^{r} Schuyler

These have been of the Council for many years past; all the rest were suspended at the Earls first coming and said Coll: Smith being Cheif Judge was also suspended of that office about three weeks before the Earl's death, and Coll. D'Peyster a merchant commissioned in his room. And said Coll. Smith, Coll Schuyler and M^{r} Livingston being no Leislarians were likewise to be suspended from the Councill that night the Earl dyed, but obstructed by his sudden departure.

Coll. A. D'Peyster	was one of Leisler's Captains	These were appointed Counsellors by the Earl.
M^{r} Sam^{ll} Staats	one of L^{rs} Council.	
M^{r} Robert Waters	L^{rs} Son in law.	
M^{r} Rob^{t} Livingstone		
M^{r} Thomas Weaver		

The Names of some principal Free-holders and Inhabitants fit to supply vacancies.

These following reside at New York.

Capt. Tho. Wenham, Merch^{t}
M^{r} James Emot Gent.
Capt. Tho. Codrinton, Gent.
M^{r} Matthew Clarkson, Secr^{y} of the Province.
Coll: Charles Lodwick, Merch^{t} is like to depart.—
M^{r} Adolph Philips, Merch^{t}
M^{r} Richard Willet. Merch^{t}
Capt. Jacobus Cortlant Merch^{t}
Capt. Jn^{o} Morris Merch^{t}
Capt. Jn^{o} Kip. Merch^{t}
M^{r} Rob^{t} Lurting Merch^{t}
Capt. Brant Scuyler Merch^{t}
M^{r} Mathew Ling, Merch^{t}
M^{r} Jn^{o} Barbarr, Merch^{t}
Capt. W^{m} Morris, Merch^{t}
M^{r} Steph. D'Lancy, Mercht.
M^{r} Tho. Burrous, Merch^{t}
M^{r} Jnô. Thallwell, Merch^{t}

The following reside In Westchester County.

Coll. Caleb Heathcote Gent.

In Suffolk County

Maj^{r} Math. Howel Gent.

In King's County.

M^{r} Joseph Hegman Gent.

In Albany County.

M^{r} Jn^{o} Abeel Merch^{t}
Capt. Kilian Renselare Gent.

In Queen's County.

Capt. Dan^{ll} Whitehead Gent.

In Ulster County.

Coll. Henry Beekman.

Four of the Council of New-York to the Lords of Trade.

[New-York Entries, D. 296.]

To the Right Hon^ble^ the Lords Commissioners for Trade & Plantations.

May it please Your Lordships.

The Earl of Bellomont dyed the 5^th^ Instant to our unspeakable greif and loss, and the Lieutenant Governour, with his Lordship's leave, being absent at Barbados about extraordinary occasions, the administration of the government is at present in us. We immediately apply'd to the preservation of his Majesty's peace and published a proclamation continuing all officers in their stations until further order, and sent expresses away for the other three Counsellors, who dwell seventy, and a hundred & fifty miles distant from New York, to come and assist in the Government; but they are not yet arrived. We wrote one letter to M^r^ Secretary Vernon, which we sent away in a boat after a ship that had just sail'd out of the harbour and gave us no time then to write to your Lordships, which we desired the favour that he would communicate to your Lordships: but it could not overtake the ship, but was return'd to us.

The greatest difficulties this Province now is under (after the death of our most excellent Governour) are the forces in pay; for whom there is no subsistence but what we are forced to advance weekly by private credit, and on the omission of one week they would all disperse and desert the garrisons; and altho' we have no publick fund, yet we hope to subsist them for this month, and by that time the Assembly of this Province are to meet according to their adjournment, & there is an absolute necessity that notwithstanding the Earl's death they should then meet and act in this particular, or the Province be in great danger to be lost to the French, if a war should suddenly breake out. We therefore humbly pray your Lordships favour with the Lords of the Treasury so to recommend M^r^ Champante (the late Earl of Bellomonts Attorney) for the pay of the forces here, that he may be continued still in that imploy, being a person we are very well satisfied with, and his Majesty may confide in, and that he may have commands to remit by bills to this government for what subsistence and pay he shall receive out of the Treasury from the death of the Earl. We shall endeavour with the assistance of the Assembly to find credit to support and keep the forces together untill such orders shall be given by the Lords of the Treasury to M^r^ Champante who is our Agent and whom we have directed to attend your Lordships pleasures therein, as likewise to attend their Lordships of the Treasury.

We have information that his Majesty hath been pleased to appoint a Cheif Judge and Attorney General for this Province with large salaries. We do therefore humbly offer to your Lordships that during the whole war this Colony hath been the frontiers against the enemy and at much more charge than any other English Colony and the constant charge of the Government doth far exceed the Revenue; so that it is always behind hand, and is at present in debt some thousands of pounds, and should their salaries be paid out of the Revenue here they alone would swallow up near a fourth part of it; so that altho' the King's Revenue and the publick affairs of this Province are very much injured for want of assistance, yet we must humbly request your Lordships favour on the afore considerations so to represent the matter to his Majesty and the Lords of the Treasury that the Cheif Judge and Attorney General may have their Salaries paid out of the Treasury in England untill the Revenue of this Province is in better capacity to support them.

We have not yet had time to inspect the Earl of Bellomont's papers relating to this government and therefore can give no particular answer to what letters or orders your Lordships may have sent him, but when we are apprised of them, we shall give them all due observance, as we shall pursue what other instructions your Lordships shall please to send us during the Lieutenant Governour's absence which we hope will not be above two months.

Yesterday we received Duplicates of your Lordships letters of the 19th Septembr last pr Captain Dixon, the originalls Mr Weaver brought hither from England 30th December last, and we are assured the Earl of Bellomont hath given your Lordships an answer thereto above a month since.

We shall do our best endeavours to preserve the peace of the Province and faithfully to discharge our trusts to his Majesty, whilst the administration of the government is in us, who are with the greatest respects

Your Lordships most obedient
and most humble servants
A D'Peyster
S. Staats
New York March R. Walters
the 10th 170$\frac{0}{1}$ T. Weaver.

P. S. We send your Lordships inclosed copys of all minutes of Council since the Earl of Bellomont's death,[1] and these packets, by way of Boston, because no ship is suddenly bound hence for England.

[1] Richard, first Earl of Bellomont and second Baron of Coloony, in the county of Sligo, was born in the year 1636. His grandfather, Sir Charles Coote, was "a soldier of fortune, trained in the wars of Elizabeth," and distinguished himself by his ferocity in Ireland in the reign of Charles I. Richard Coote, the Earl of Bellomont's father, was the third son of Sir Charles, and brother of the Earl of Mountrath; and having co-operated in bringing about the Restoration, was, in 1660, created Baron of Coloony. He died on the 16th of July, 1683, and was succeeded in his title and estates, by his son Richard, who went over to the Continent after the accession of James II., and was one of the first to espouse the interest of the Prince of Orange. The fact of his absenteeism did not escape the notice of the King, who, on the 22d of November, 1687, issued an order for his immediate return to the Kingdom, on pain of proscription. Lord Coloony immediately returned, and, in 1688, became member of parliament for Droitcorick in Worcestershire. In March, 1689, he received the appointment of Treasurer and Receiver-General to Queen Mary, consort of William III., whereupon the parliament held at Dublin by James II. pronounced an attainder against him. The displeasure of the fallen monarch, however, only served to secure the favor of William and Mary, and, on the 2d November, 1689, he was advanced to the dignity of Earl of Bellomont. He married in 1660, Catharine, daughter and heiress of John Nanfan, Esq., of Birch Morton, in the county of Worcester, and had issue two sons, Nanfan and Richard, who successively inherited their father's title. The Earl of Bellomont was interred with becoming honors in the chapel of the fort at the Battery; but afterwards, when the fort was taken down and the Battery leveled, in 1790, the leaden coffin was removed and finally deposited in St. Paul's Church-yard, N. Y. The Countess of Bellomont, soon after the Earl's decease, returned to Ireland, and died at the family seat in the county of Sligo, 12th March, 1728, in the 90th year of her age. "*Sketch of the Earl of Bellomont*," *by Jacob B. Moore, Esq*, in Stryker's *American Quarterly Register*, I., 434. — Ed.

Lords of Trade to the Earl of Bellomont.

[New-York Entries, D. 251.]

To the Right Hon^ble^ the Earle of Bellomont. &^c^

My Lord.

This letter will be delivered to your Lordship by M^r^ Atwood, who together with M^r^ Broughton come to acquaint us that they are just upon their departure for New York. We have not leizure upon so short warning to enlarge, but are preparing an answer to your Lordships letters dated in November and January last with what speed we can. In the mean while, upon the occasion of their dispatch we heartily wish your Lordship all the satisfaction you have promis'd to your self in their assistance; and are, My Lord

Your Lordships most humble serv^ts^

STAMFORD
LEXINGTON
PH: MEADOWS
W^m^ BLATHWAYT
JN^o^ POLLEXFEN
ABR: HILL
MAT: PRIOR.

Whitehall April
the 16^th^ 1701.

Lords of Trade to the Earl of Bellomont.

[New-York Entries, D. 252.]

To the Right Honourable the Earle of Bellomont His Majesty's Cap^t^ General and Governour in Cheif of his Majesty's Province of the Massachusets Bay, New Yorke and New Hampshire in America and of the Territories thereupon depending &^c^. Or to the Commander in Cheif of his Majesty's Province of New York for the time being.

My Lord.

The letters we have received from your Lordship since ours of the 11^th^ of February, are dated the 28^th^ of November and the 2^d^ and 16^th^ of January last, besides which our Secretary has also laid before us some extracts of what you have writ to him, together with the papers you sent him at the same time.

As to the difficultie which your Lordship continues to say there will be in the experiment of making pitch and tar with the soldiers that are now at New Yorke for want of an extraordinary allowance of 4^d^ Sterling p^r^ day for their incouragement, we can not but think we have several times already sufficiently intimated that tho' it be not seasonable at present to propose any such establishment here, yet it is in your Lordship's power to recompense them as may be necessary out of the produce of their own labour. Or if that also will not help in the first beginning, yet we conceive your Lordship may supply that defect, and facilitate the work by

what the Assembly may give either for that or any other service wherein the soldiers are imploy'd and the Province receives advantage; so that we do not see but notwithstanding this difficultie, the tryall desired may very well be made.

And as to the other objection which your Lordship some times makes as if nothing at all could be done towards the production of Naval stores till the Act for vacating Extravagant Grants of land be confirmed and other such like grants vacated in the same manner; we cannot suppose it of such moment as to hinder an experiment. For whatever be determined about those grants hereafter, there is no fear of danger from cutting down such trees as shall be necessary for his Majesty's service, so long as they stand revoked. And besides also trees are so plentifull in that country that tho' a sufficient number for a tryal should even be purchased on the lands of private persons, the cost of them would not be so considerable as to discourage the attempt; or however, what they should cost might be computed; and a judgment then made whether the design, in the manner your Lordship has proposed it, be fit to be ingaged in or not.

As to that Act we have several times had it under consideration in order to report our opinion upon it; but we meet with difficulties, & especially the want of exact copies of all the Grants thereby vacated, is a great obstacle to our determination. For it would be very irregular for us to give any judgment upon the right of private persons without examining each of their particular titles. For which reason we desire your Lordship to send us copies of all those grants, with what speed you can.

And as for the bills and petitions which you say were offer'd to you for the better enquiring into the titles of land, upon which occasion (as in many others) you complain of the want of a Judge and Attorney Generall from hence; those gentlemen being now upon their voyage, we hope you will shortly be inabled by their assistance to overcome the difficulties which obstructed your proceedings. And we desire you from time to time to give us an account of the ill practices that you discover and the mischeifs arising from thence, in relation to this whole matter of grants and titles.

We have sent extracts of all that you write in these letters, relating to the masts you have provided, to M^{r} Secretary Vernon; in order to his Majesty's pleasure thereupon, both about the payment of their cost and about the sending for them. It is from the Lords of the Admiralty that you ought to expect directions in all matters of this nature; but as you write to us also, we do not omit to promote what we understand to be necessary in such methods as are proper for us

We heartily wish those masts (whenever they shall arrive) may answer expectation, but in the mean while we must observe to you that in the comparison you make between their cost and the terms of M^{r} Taylor's contract there is a considerable mistake. For his price is for masts of such dimensions delivered here, but yours only of the cost there: which makes a vast difference. And besides also his conditions were to deliver such masts without any the least flaw, & upon very small flaws found in some of them they have been turned upon his hands, which is a hazard we fear your Lordship cannot be well secured against by any inspection at New Yorke. And for these reasons we again advise you to be very cautious in bargains of this nature, or rather wholly to forbear any such till you have positive directions.

As for masts, timber, &^{c} to be had in New Hampshire, in order whereunto your Lordship conceives the trade from thence to Spain and Portugal ought to be prohibited, having had occasion to lay some matters before the House of Commons, we have offered that amongst

other things to their consideration. And as for Mr Partridge in particular we refer you to what we writ you the 11th of February last, unto which we shall expect your answer.

The appeal that your Lordship had heard was refused in New Hampshire has occasioned a petition to his Majesty, which is now under our consideration.

We hear nothing yet of that Appeal you mention to have been refused in the Massachusets Bay; but this declining to admit appeals to His Majesty in Council is a matter that you ought very carefully to watch against in all your governments. It is a humour that prevails so much in Proprieties & Charter Colonies and the independency they thirst after is now so notorious, that it has been thought fit those considerations together with other objections against those Colonies should be laid before the Parliament, & a Bill has thereupon been brought into the House of Lords for resuming the right of government in those Colonies to the Crown.

Your Lordship's proposal for increasing the number of Officers in the troops at New Yorke does undoubtedly tend to the making those troops more usefull upon any occasion; but it would be expensive; and the Parliament having yet given but £300000. for all services of that nature, the present Establishment is calculated on that foot, and cannot therefore now be altered. If the Parliament shall hereafter inable the King to bear a greater charge, we shall be mindfull of what you write on that head.

The settling of the Boundaries between New York and the Jerseys is a matter which your Lordship must necessarily first inquire into and give us an account of the pretensions on both sides; and what you conceive to be the state of the case, before we can lay it before the King. We desire you therefore to do so; and we shall afterwards represent what may be necessary.

We agree with your Lordship that your residing some considerable time at Albany would be a means to stifle the factions that you apprehend to be there and to influence our Indians in any thing that may be necessary for the security of those frontiers against the French. But when you mention that thought we know you are sensible at the same time of the more pressing necessity of your presence some times in New Yorke and some times in Boston. And we can give no directions therein but that you reside in one or other place according to the importancy & urgency of the occasions that offer.

This difficulty is one of the strongest reasons offered by some New York merchants why that government should not be in the hands of the same person who has the government of the Massachusets Bay. But we have answered their objections (in a report to the House of Commons) by shewing that your Lordship did not remain long absent, but returned to New York in a short time after their petitioning in that manner, & that you have resided there ever since. And as any thing else arises that may give a colour to their pursuing the same design, it behooves you to obviate it as much as possible. Of which kinde we observe the allowance of your travelling charges from Boston by the Council of New Yorke, tho' the Massachusets government ought to bear their share thereof.

We do not think the inhabitants of that colony will be very forward in sending any petitions or addresses hither to complain of your absence from thence; if they can manage their own affairs without controul and make use of your absence as a reason to with-hold the present which they could not otherwise well refuse to make you, they will be very easy. But you say that for the obtaining of that Present having no other fixed allowance for that government you shall be obliged to return thither in the spring. That will again revive the clamours at New Yorke. But how to remove these difficulties on all sides is no easy matter.

We are sensible of the reason your Lordship has to complain of the want of a fixed establishment, and we have therefore represented your case in that respect as was fit for us to do; and are further endeavouring that salaries to Governours may be fixed to prevent the inconvenience and clamour of Presents.

We observe what your Lordship writes of the hardships the Indians lye under in the Province of Massachusets Bay, and of the aversness of the General Assembly there to establish such laws as might tend to their relief; but we hope your continued endeavours will in the end dispose them to protect and incourage the Indians in all their just demands.

We have considered your observations upon the trade of those parts under your government, and are well pleased to see your thoughts turned that way. Your Lordship is thereby best able to judge what incouragement is fit to be given to any new undertakings and in which place each new design may be best promoted. But when all is done, tis the success that people may find in those experiments that only can effectually engage them to continue in such attempts. If the Narraganset Country be found proper for mulberry trees and silkworms it will be very well; those that have a mind to apply themselves to the production of silk there may take information for their conduct from what has been done in Carolina where that project has already been some years on foot. The French you speak of will easily judge or in a short time finde, whether that country or New York or any other place in those parts be proper for the production of wines. The making of salt in New England would undoubtedly be of great use & it ought more particularly to be incouraged as much as possible. We desire to know what effect has been found of the Act for a priviledge of making salt there. The advantage of a Fishery wheresoever the seas and coasts are proper for it (as in the Eastern parts of New England) are so very great that it deserves the utmost incouragement, and your Lordships thoughts can hardly be more usefully employed than in contriving ways to put the people upon it. If you judge that lessening of the customes on Beaver would help in any good degree to advance that trade, a tryall may be made by taking off those duties at New Yorke (for a change in the Customs here will be difficult.) But then also care must be taken that an equivalent be laid thereupon some thing else.

We are glad your Lordship finds the Madagascar trade and piracy to be at a stand. We hope the commissions for trying of pyrates lately sent to all the Plantations will tend effectually to their extirpation, and the proclamation of the 6th of March last, which we send you here inclosed will also have a good effect. However a constant watchfulness against piracy and all manner of illegal trade will be allways necessary. As to piracy we send you likewise here inclosed the Copy of his Majesty's letter to you of the 14th Instant sent by Mr Larkin, one versed in the forms of Admiralty Courts and appointed by His Majesty to carry duplicates of those Commissions to all places where they are to be executed; who goes first to Newfoundland and will from thence take his passage to New England and so forwards through all the Plantations in order to the settling of those forms according to the instructions that have been given him for that purpose.

Upon consideration of what you write to us and also to the Lords of the Treasury relating to Mr Weavers accounts and salary, tho' we can give no directions in those matters but must refer you to what the Lords of the Treasury shall themselves order thereupon; we send you however here inclosed the copy of what we ordered our Secretary to write to Mr Lowndes, which will shew you our care, so far as it is fit for us to intermeddle, and withall our opinion that Mr Weaver ought not to have any salary till he entred upon the execution of his place.

As for your intentions to bring him into the Council of New Yorke in case he stay there, we only observe that his place of Collector and Receiver does not make that necessary. But if your Lordship judge him a fit person, we must leave it to your discretion, till we receive a full account of the reasons for which you put others out, and of their answers to those reasons, together with the particular grounds of your choice of him and those persons you shall put in, that we may lay the whole matter before His Majesty for his confirmation. And to this end we desire you (as directed by your instructions) to send us frequently lists of the names and characters of six persons whom you judge best quallifyed to serve His Majesty as Counsellors in that Province, altering the same from time to time as you find cause, and accompanying it also with a list of the Counsellors then in place; that so the Council there may be regularly filled up to a competant number, and not left so uncertain as it has been.

What your Lordship mentions in your letter to the Lords of the Treasury relating to the prejudice done to the Crown by the grants of vast tracts of Land in New Yorke, which were made by Coll. Fletcher and other Governours, has been upon severall occasions not only represented to His Majesty but also laid before the Parliament, and shall be further considered and represented as you shall enable us to come to a more determined resolution upon the Vacating Act before mentioned

As to M^{r} Allen's Claim to the Province of New Hampshire (mentioned also in the same letter) that is a point of law which has been formerly under the consideration of two Cheif Justices of England; and a report having been made thereon, we cannot meddle in it. But the forementioned appeal which is desired by him from a late sentence of the Superior Court of New Hampshire, will probably bring that matter again under consideration and occasion some positive settlement in it. And as for M^{r} Bass, it was not in our power to hinder those proceedings of his about the ship Hester; but we did all that in us lay to defend his Majesty's right in that cause tho' the success did not answer expectation.

We observe what your Lordship writes again about Coll. Fletcher's accounts and the expectation which the Commissioners of Accounts there gave you that considerable sums may be got from thence towards the Fortifications. When those accounts come with the vouchers, we hope they will be examined. In the mean while since the town of New York stands so much in need of being better fortifyed and that town is in so thriving a condition as to have built themselves such a noble Town house as you call it; they ought also, or at least the Province ought, to take care of their fortifications which are the main thing necessary for their security.

The sending over a skilfull Surveyor as your Lordship desires, to draw correct maps would undoubtedly be of good use, but it would be chargeable; and till it may be convenient to propose such a charge the Engineer ought to be put upon doing it, so far as he can: as we have formerly hinted upon another occasion.

We have acquainted M^{r} Champante with what your Lordship write about the clearings of the Companys, and must refer you to him for an account of that matter.

As to your complaints against M^{r} Graham; he may be prosecuted for any thing that he has done illegally; and now that you will have a Judge and Attorney Generall, as desired, from hence, those matters may be considered with them, and your Lordship may then proceed therein as you finde reasonable.

We shall consider your answers to the observations we sent you upon those Acts of the Generall Assembly of New York whereon we suspended our opinion, and shall in due time represent upon them as shall be fit.

Divers complaints having been laid before us of irregularities in the Courts of Chancery in His Majesty's Plantations, and amongst the rest that in some places the Governours and the Members of the respective Councils who compose those Courts, do sit and act therein without taking any oath to do equal and impartial justice between parties concerned in the Causes that shall come before them; we have thought fit hereby to direct you (as we do other Governours) that in case there have been any neglect of this kinde in any of our governments, you forthwith take care to remedy the same as your Commission impowers you, by your taking in the first place a proper oath for that purpose and afterwards administering the like Oath to the Members of the Court of Chancery in that Province where you shall be residing at the receipt of this letter, and by your further directing the Lieutenant Governours of his Majesties other Provinces under your Government immediately to take the like care in each place respectively. We are

My Lord

Your Lordship's most humble Servants

(signed) Stamford
Ph: Meadows
Wm Blathwayt
Jno Pollexfen
Abr: Hill.
Mat: Prior.

Whitehall April the 29th 1701.

Three of the Council of New-York to the Lords of Trade.

[New-York Entries, D. 307.]

To the Rt Honble the Lords Commissioners for Trade and Plantations.

My Lords

The four Members of his Majesty's Council who were present in this place on the 5th of March last when his Excellency the late Earl of Bellomont departed this life have given us to understand that before our arrival they had given your Lordships by way of Boston an account thereof, as also that the Lieutenant Governour was absent at the Barbadoes. Immediately on his Lordships death the Gentlemen of the Council then present as aforesaid directed the Clerk of the Council by expresses to signify the same to us, by transmitting to us such minute of Council as they had made immediately after my Lords decease, a copy of which minute we send herewith N° 1. by which we were required with all expedition to repair to this place to discharge our duty as members of His Majesty's Council.

Coll: Smith, eldest of his Majesty's said Council and President thereof, arrived here on the eleventh of March, and having met with four members of his Majesty's Council then in town did acquaint them that upon notice given him, by their direction, of the late Governour's death, he had with all expedition put himself on his journey for this place, and having observed by the Minute of Council by them sent him that they allowed him to be eldest of his Majesty's Council and so consequently by his Majesty's letters Patents to the late Earl of Bellomont invested with the powers and preheminences any President had exercised & enjoyed in any

his Majesty's plantations in America, and that since this Province never had been under the like circumstances of government heretofore, that they might quietly proceed in the Administration of the Government, he prayed them to consider how such powers and preheminences had been executed in other his Majesty's Plantations under the like circumstances of government this Province was under at this time. To which they will give no answer, but desired him the said Smith to give them his sence of that matter. He told them he was of opinion by the best information he was appriz'd of, that Presidents in other his Majesty's Plantations had been allowed to convene and adjourn his Majesty's Council when he thought fit for his Majesty's Service, and without his presiding the other members of his Majesty's Council could not properly act as a government; that if it were needfull to execute the legislative power he believed he ought to have a negative voice with power of adjourning prorogueing and dissolving the Assembly. That on the 13th following he again met with the said four Members of his Majesty's Council who upon their first sitting down at the Council Board, immediately produced a Resolve in writing which they caused to be read, whereby they declared the said Coll. Smith hath no more power than any other of His Majesty's Council, that when the major part of the said Council thought fit to meet as a Council and act in the administration of the government, that they would notify him the said Smith thereof, that if he refused to come upon such notice, they would act in the administration of the government without him; as it appears by the minute of Council N° 2.

That the said Resolve appear'd to him the said Smith a very odd way of proceeding, upon which he the said Smith did exhibite a paper containing other reasons to which also the four members who made said Resolve did give in their answer in writing.

That from this way of proceedure & other discourse had at that time in Council, he the said Smith had reason to suppose that it was expected by them upon publishing that Resolve he would have been disgusted and so left them, but being earnestly intreated by a considerable number of inhabitants of this Province and beleiving it for his Majesty's service, he thought fit to continue to proceed among them under protestation that such his concession should not be understood to prejudice the right given him by his Majesty's letters patents aforesaid: all which appears by the foresaid minute of Council N° 2.

Immediately after this the four members of his Majesty's Council aforesaid debated with him the said Smith whether the Assembly which by prorogation of the late Earl of Bellomont were to sit on the 2d of April ought to sit at said time; the said Smith offered his opinion that it was very doubtfull to him whether the said Assembly was not actually dissolved by the Governours death, they being called by writs under his test, to consult and advise with the Captain General or Commander in Cheif of this Province, and that there was no such person in this government, that admitting they might properly sit according to the tenure of the writt aforesaid, yet in the method they had resolv'd to act the administration of the government, one branch of the Legislative power, to witt, the Negative Voice, must needs be lost if all the Council were of equal power; to which end he also exhibited his reasons in writing, which were twice read in Council, but refused to be entered in the Council booke; which are also herewith transmitted in the paper N° 3.

That admitting what has been before observed on this head to be no obstacle in the exercise of the Legislative Power, yet your Lordships' letter to the late Governour of the 30th of October past had been pleased to direct his Lordship that a memorandum should be entred in the Council books of his Lordships governments to caution them that whenever any of these

governments by the death absence or removal of a Governour or Lieutenant Governour immediately commissioned by his Majesty comes to devolve upon a President and the Council of any of those Plantations or Governments, such President and Council to forbeare to pass any Acts but such as are immediately necessary for the peace and welfare of any the respective governments, without His Majesty's express order for that purpose; did plainly prohibit us the exercise of the legislative power, unless warranted by such necessity. Upon which several reasons were offered by the four members aforesaid, to justify such a necessity; which the said Smith could not apprehend to be of that weight and moment as might warrant the passing any act according to the Caution aforesaid; that he offered the Members then present that if they would please to reduce their reasons into writing he would give clear answers to them or be concluded by them; which they refused to do.

The arguments on this subject were managed with great heat; the said Smith had good reason to believe that those gentlemen meant to have many things transacted in said Assembly of which they had made no mention to him, which he conceives would not have been for his Majesty's service or the peace and welfare of this government, and he was the more confirmed in that opinion, that after a long debate seeing they could not prevail with him the said Smith to act with the said Assembly, a Member of the four then present was pleased to say as an inducement to him to concurr with them in that opinion, that he did not know or doubted not but if the said Smith would be easy in acting with the Assembly that they would give him the said Smith five hundred pounds; to which he the said Smith reply'd that a much greater sûme would not tempt him to swerve from the due discharge of his duty to his Majesty & this Province.

Being again met in Council on the 14th following, the necessity of the said Assembly's sitting was again debated by the five Members then present, and being put to the Vote, it passed in the affirmative but by one voyce; immediately after which they had ready prepared several Proclamations ready wrote, requiring the said Assembly to meet on the day they were prorogued to by the late Governour, which were offered to him the said Smith to be sign'd, but he not being of opinion there was any necessity for their sitting, nor that they could regularly or properly act in the method they had put the administration of the government by their Resolve aforesaid for such reasons as he had given them in writing, he thought he ought not to sign said Proclamation: but it being offered that said Assembly would meet without such proclamation according to the former prorogation and not knowing what necessity might happen before that time for his Majesty's service for the peace and welfare of this government, and also hopeing that before said time the other members of his Majesty's Council then absent would arrive here, and that the matter of their Resolve to act in the Administration of the government would in a full Council be fairely and maturely considered and debated, as also that in the mean time we should be better informed how the Legislative power had been exercised in other his Majesty's Plantations who had been under the like circumstances of government as this Province at this time, he suffered himself to be concluded by their vote of that day, under his former protestation, and so did sign several proclamations; as may appear by the Minute of Council N° 4.

All matters before being issued[1] and bills of Exchange signed, raising money for subsisting his Majesty's forces, having three days before given notice to the Gentlemen of his Majesty's Council that his having left his family so suddenly upon notice by them given him of the late

[1] All matters before *the Council being disposed of, the proclamations* being issued, &c.? — Ed.

Governour's death, he thought fit for some few days to return to his family, & pray'd them that if any thing they thought for his Majesty's service fit for him to do before his departure, that it might be dispatch'd in the two days he would yet stay in town: as appears by such Minute of Council as they were pleased to make therein, N° 5.

Two days after the departure of the said Smith, Coll. Schuyler and M^r^ Livingston arrived at this place from Albany, and were the next day by the four Members of his Majesty's Council aforesaid sent for to act in the Administration of the government; but the President being absent they were of opinion they could not properly act untill he were present: for which reason they sat not in Councill untill his returne, and then finding that the four Members aforesaid for their not appearing had caused it to be entred in a minute of Council that they had refused to act with them in the President's absence, and further alledging that the sending for them was in order to find means to raise money for the subsisting his Majesty's forces, they thought themselves obliged to exhibite their reasons in writing why they did not appear at that time; a copy whereof is sent herewith, N° 6.

On the 2^d^ of April eleven of the Representatives of the people met according to prorogation, but having almost every day sat in Council, no mention was ever made of any thing fit to be offered to the Assembly, untill the 8^th^ instant, and then there wanted the members of two intire Counties, that at said time being then a full Councill the President did offer to the Board in writing several reasons relating to the sitting of the Assembly as well as to several other matters of the present Administration of the government, praying they might be fairly considered and discoursed and also entred in the Council Book; but after being read the four members aforesaid being a majority of the Councill Board, refus'd to have them entred on the Council Book; a copy of which writing is sent herewith N° 7.

On the 9^th^ instant being again met in Council the four Members aforesaid did produce a paper signed by them requiring the President to give them answer to divers heads in said paper, a copy whereof is also herewith transmitted N° 8.

So soon as the President had a copy thereof, he did immediately the next day give answer thereunto but being at the later end of the week, the Council as well as the Assembly did adjourn untill the 14^th^ instant, at which time the President did give in his answer in writing with the approbation and concurrence of Coll. Schuyler and M^r^ Livingston; a copy whereof is herewith transmitted N° 9.

Immediately after the answer aforesaid being read, four Members of his Majesty's Council produced a paper in writing, which they caus'd to be immediately read, and without entring into any debate required of us whether we would concurr with them in sending said paper to the House of Representatives as the sense and opinion of the government; which for the reasons just before by us given in the paper N° 9. as well for that it did contain severall unjust reflections on the President we utterly rejected; but they immediately having two copies thereof left one with the Clerk of the Council and sent the other to the House of Representatives; a copy of which we also send N° 10.

Our answer to which paper we herewith transmit to your Lordships N° 11.

On the 16^th^ Instant seven of the Representatives so met as is aforesaid not being satisfied with the method the four members of his Majesty's Council afores^d^ resolv'd to act in the administration of the government, as well as for several other reasons exhibited, by five of the then number, in writing, left the House; a Copy whereof we do hereby send to your Lordships N° 12.

Tho' we frequently satt in Councill from the 14th to the 19th Instant, yet we never received any message or saw any vote, from the said Representatives, who on the said 19th adjourn'd themselves to the first Tuesday in June.

We are inform'd that a bare majority of said Representatives did in concurrance with the four Members of his Majesty's Council aforesaid, vote that the President had given delay to the business of their sitting, and that the government was invested in a majority of the Council; that the[y] gave thanks to Coll. D'Peyster and Mr Weaver for having advanc'd mony to subsist the two Company's of his Majesty's soldiers in this fort for two or three weeks, when indeed they had Bills of Exchange sign'd by us all, by which they might have rais'd the money if they had pleas'd: but we must humbly offer to your Lordships that this was only a pretence of those two gentlemen to justify a necessity of the Assembly's sitting, and when the said two gentlemen acquainted us of their having advanced the money aforesaid for subsisting said Companys out of their own pocketts, pretending that mony could not be got upon such bills of Exchange as had been sign'd by us, we immediately procured the mony from that time, and shall not fail of procuring so much as will subsist the whole forces, untill it pleases God the Lieutenant Governour arrives.

We must humbly observe to your Lordships that from the proceeding of the four Members we have so often mentioned and they're so early and earnestly pressing the sitting of the Assembly, we had great reason to believe they intended to have pass'd severall acts of private consequence, to the publick disquiet of this Province, that many of those reasons they first offer'd to the President as a necessity for the Assembly's sitting, they totally omitted in those they gave to the Assembly in writeing, and also added others of which no mention was at first made.

We have had great regard to the caution your Lordships were pleased to give us of the 30th of October last, and did believe it very conduceable to his Majesty's service as well as to the peace and welfare of this Province, that no Acts of Assembly might pass to the prejudice of his Majesty and the general disquiet of the people of this Province, who are exceedingly concern'd to find them pursue a method of government altogether different from what had been practised in any other his Majesty's Plantations under the like circumstances with us.

We must beg leave further humbly to observe to your Lordships the unhappy circumstances of this poor Province by the unhappy differences heats & animosities amongst the inhabitants thereof, and we must humbly recommend to your Lordships the consideration how very important it would be, as well to His Majesty's service as to the peace good and welfare of this province, that your Lordships would be pleas'd in your great wisdome so to represent the same to his Most Sacred Majesty, that due methods may be taken for the healing and composing of those animosities and the uniteing his Majesty's subjects within the same; for that we are humbly of opinion these heats and animosities, if a war should again break out in Europe as has lately been, it would be of very ill consequence as to the peace and security of this important & otherwise so flourishing a Province. We must also beg leave most humbly to offer to your Lordships that if Mr Weaver had not been made of his Majesty's Councill some little time before the late Governour's death, the administration of the government at this time had been manag'd with great ease and quietness; but that he, being a stranger to the Country, a person of a turbulent spirit & very violent in supporting of one party against another which he has alway's endeavour'd from the time of his first arrival here, that he has solely been the cause of all the misunderstandings between the gentlement of the Council since the late Governour's death.

That in all debates he hath had in Council he has solely managed the matter and that with such heat and violence and loud clamour, that our debates have been made publick to all that were near the Council Chamber where we satt, that we have been most credibly informed that during his abode for some years past in the Leeward Islands he gave great disturbance to that government, for which he was committed to prison by the then Governour Codrington from whence he made his escape to Barbados and from thence came with the late Governour to this place.

That during the little time of his being Collector here he has occasion'd great clamours of the Masters & merchants here for strangely delaying them in their dispatch by putting on them hardships impracticable in any other of his Majesty's Plantations, and gives this for reason the worst he is exclaimed against and complain'd of by the merchants and masters of vessells, the better he shall be liked by the Commissioners of Customes in England.

By several vessells lately arrived from the Barbados we are given to understand the Lieutenant Governour of this Province may dayly be expected here which we hope will put an end to all these misunderstandings amongst both Council and Assembly.

We have most studiously endeavour'd to keep all in peace, and trust in God the Lieutenant Governour will find all so on his arrival. We have thought it for his Majesty's service to order his ship of war the Advice, Capt. Colwall[1] Commander to cruize for 21 days between Martins Vineyard and the Capes of Delaware to seek after such Rovers as may happily be found within that cruize, that after the expiration of said time he do repair to Boston in the Massachusets' Bay and their to creen, where is much better conveniency for the doing of it than in this place, after which he is directed with all expedition to return again to this port.

We are sorry we must observe to your Lordships the great desertion of his Majesty's forces in this place especially of those last recruits since the late Earl of Bellomont's decease, which we cannot attribute to any neglect of the officers, who we think have taken all due care to prevent their desertion, and both we & they have used our utmost endeavours by proclamation, hue and crys, and sending their Officers in pursuit of them, yet the Provinces contiguous to us being Proprietory governments we fear such desertion is too much incouraged by the inhabitants concealing and imploying such deserters, so that we have not been able to retrieve any one of them, and upon inquiry of the Officers for what reason they have observ'd any discontent among said soldiers, they give for answer the smallness of their pay and want of necessary cloathing; the number who have so deserted are near 40 men; the officers have lay'd before us a petition relating to that matter, a copy whereof we herewith transmit to your Lordships N° 13.

Your Lordships will be pleas'd to observe by the minute of Councill herewith sent you N° 14. the method we have taken for raising money for subsisting his Majesty's forces here, and must humbly pray your Lordships will be pleased to direct the Agent in England that our bills for that use be duly accepted & pay'd; we have drawn bills to this time for £600 sterling and must suddenly be forced to draw more.

We have herewith transmitted to your Lordships an account of Stores of war in his Majesty's fort here according to a survey thereof taken by Coll. Romer the Ingineer, together with the cheif military commission Officers, N° 15.

That we are humbly of opinion that there are several other matters contained in such publick letters instructions and directions as your Lordships have been pleased to transmit to the late

[1] Capt. William Caldwall. *New-York Council Minutes*, VIII., 239. — Ed.

Governour; but tho' the President hath several times desired in Council that all such publick papers relating to such particular things of which your Lordships might expect some account from us, might be put into his hands to the intent he might draw therefrom the heads of such matters as he should think fit to be laid before your Lordships, that the Gentlemen of the Council might consider and consult what might be fit to be done therein, which have still been deny'd him, together with his Majesty's private Instructions to the Governour, so necessary for our direction, by the four Members of his Majesty's Council aforesaid, unless he would in all things concurr & be concluded by them.

We think it our duty further humbly to represent to your Lordships the ill state of the Jerseys, who by the Proprietors directions are under the administration of Coll: Andrew Hamilton, who when he was formerly in that post did always influence the people of the Jerseys to be convinced of their dutys to be assistant to the frontiers at Albany during the course of the late warr, and was carefull of remitting deserters from his Majesty's Companys here; yet by the licenciousness of that people he cannot contain them within the decent and necessary boundaries of government, by which those Provinces are like to fall into disorder and confusion. We do therefore humbly offer whether it be not for his Majestys service that his Majesty would be pleased to put those Provinces under such regularities that the publick peace may be restored and his Majesty's government of New York may have the assistance of the magistracy of the Jerseys to remand deserters and fellons that may shelter themselves there, which often happens, &, by the convulsion of that people, not in Coll. Hamilton's the Governour's power to remedy it. From the treatment we have received from the four Members of his Majesty's Council aforesaid, we may expect to be misrepresented to your Lordships, but we humbly hope upon the whole of this matter it will clearly appear to your Lordships that we could have no interest or design therein, but purely his Majesty's service and the good peace and wellfare of this Province; that they have had such prevalency over the Clerk of the Council that they have made such minutes as they have thought fit, casting all the reflections on us, hopeing thereby to render us obnoxious to your Lordships; but we have great reason to hope and believe your Lordships in your great wisdome will discern and distinguish that we have, in all this affair, acted with great modesty & temper, tho' we have very often (by M^{r} Weaver) been highly provoked and scurrilously treated.

We must humbly pray further to observe to Your Lordships that if any misfortune should happen to the Lieutenant Governour (which God forbid) we have great reason to fear what might be the consequence thereof, and must therefore pray your Lordships will be pleased to give such directions therein as to your Lordships shall seem meet. We are very sensible of our prolixity in representing to your Lordships this matter, which is according to our duty with great humility most humbly submitted to your Lordships, by

My Lords

Your Lordships most faithfull &
most obedient humble Serv^{ts}

Wm Smith P^{r}
Pe: Schuyler
R^{t} Livingston.

New York 30th
April 1701.

Lords of Trade to Lieutenant-Governor Nanfan.

[New-York Entries, D. 278.]

For the Hon^ble^ John Nanfan Esq^r^ His Majesty's Lieutenant Governour and Commander in Cheif of his Maj^tys^ Province of New Yorke in America, Or for the Cômander in Cheif of the Province of New York for the time being; to be cômunicated to His Mat^ys^ Councill of the said Province.

Sir

Having understood from severall persons that the Earl of Bellomont departed this life at New Yorke the fifth of March last, and that you were then at Barbados, from whence we do not doubt of your return to New Yorke and taking possession of that government before this letter arrives; we have thought fit hereby to require you to be verry diligent and circumspect in the discharge of your duty according to the powers and authorities devolved upon you by his Majesty's Commission and Instructions to the Earl of Bellomont as Governour of New Yorke. And in the execution thereof we more especially advise you not to engage your self in the heats and animosities of parties, but to use such moderation as may best conduce to his Majesty's service and the good of the Colony.

By his Majesty's said commission we conceive that from the time of your entring upon that government you will be intituled not only to the salary of £200 p^r^ annum as Lieutenant Governour, but also to one moiety of the remaining £400 appointed for the Governour in Cheif, which being a competency judged sufficient for maintaining the dignity of that government untill his Majesty's further pleasure, you are not to receive nor pass an Act for receiving any present or gratuity to your self nor are you to pass any other Acts of Assembly whatsoever but such as are immediately necessary for the preservation of the peace and well-fare of that Province untill further order.

We suppose several of our letters to the Earl of Bellomont which were in his Lordships custody, will now have been put into your hands. You will also receive our letters to him of the 29^th^ and 30^th^ of the last month which were finished by us before we heard the news of his death. Whatever you find in any of those letters relating to the affairs of New Yorke you are to take care of as if they had been writ to your self; and what ever we have required from his Lordship relating to that Province which has not yet been done, you are also to give us particular account of. But as for those passages in our letters to him which respect any of the other Colonies that were under his government, you will easily judge you are not to concern your self in directing anything thereupon; but may nevertheless write unto us whatever you think proper for our information.

We cannot but take particular notice that tho' several letters are arrived from New Yorke giving an account of the death of the Earl of Bellomont; we nevertheless have not any such information from the Council nor any officer of that government.

As we were about to conclude this letter we have received one from the Earl of Bellomont dated the 21^st^ of February last, wherein he has sent us several minutes of the Council of New York relating to complaints against the Widow Van Cortland for concealing the Books of accounts of his Majesty's Revenue, and the proceedings that had been made in order to the recovery thereof. Which being a matter of great importance and all that we know of it being (according to those minutes) entred in the Council Books, we recommend it to your care to pursue such

methods as may most effectually recover the accounts that are wanting, prevent any wrong to his Majesty, and enable the present Collector, and the Commissioners for Accounts to perform the respective trusts that have been reposed in them.

Lest some of our letters to his Lordship should not come to your hand we have further thought fit to send you the inclosed extracts of such parts thereof as are most important for your information.

And whereas his Majesty for the safety of his province of New Yorke has remitted or given credit to his Lordship for the Sume of £2500. viz^{t} £500 for a fort in the Onondage country and £2000 for Albany and Schenectady, we expect from you an account what progress has been made in those services and what is further to be done with the money he remitted. So we bid you farewell

Your very loving friends

(signed) Stamford
Lexington
Ph. Meadows
W^{m} Blathwayt
Jn^{o} Pollexfen
Abr. Hill.
Math: Prior.

Whitehall May the 7th 1701.

Three of the Council of New-York to the Lords of Trade.

[New-York Entries, D. 329.]

To the Right Honorable the Lords Commissioners for Trade and Plantations.

My Lords.

We have on the 30th past humbly lay'd before your Lordships what had of moment occur'd in this government from the late Earl of Bellomont's death untill that time; since which we have with some difficulty obtain'd a copy of what was transacted by the late Representatives, met according to prorogation of the late Earl of Bellomont on the 2^{d} of April, having never before seen any of the least thing in writing from them: the which copy we herewith transmit to your Lordships.

Your Lordships will please to observe that the last thing recommended by the four Gentlemen of His Majesty's Council who sign'd and sent them what they thought proper for their consideration, as we have by our last acquainted your Lordships was treated of by the Representatives, and was we have reason to believe the weightyest cause for the calling them together at that time, your Lordships will be pleased to observe that they apply'd themselves only to M^{r} Weaver for such papers that might be necessary for their information in that matter, who we're inform'd only sent them his Majesty's letters pattents with their explanation and resolution thereon, and no other paper of those many that had been given in relating to that matter, and after a very little debate, by a bare majority of their House, were pleas'd to make a vote agreeable to what those four Gentlemen of the Councill had represented to them, and so after

17 days sitting to no other purpose, having notice from Barbados of the Lieutenant Governour's intention suddainly to returne hither, they were pleased to take the advice we had often given the gentlemen of the Councill, of deferring all things relating to the Assembly, untill the Lieutenant Governour arrives. Your Lordships will be pleased to observe the care they have taken to cast reflections on us, hoping, as we suppose, it might render us disagreeable to your Lordships and the people of this Province; and a vote given in favour of a majority of His Majesty's Councill, consonant to what themselves had before determined, has so exalted them, that being met in Councill on the 2d Instant after having issued all matters before us, the Clerk of the Council did acquaint the Gentlemen that there were some minutes of Council imperfected and particularly one vote relating to the time and place of holding the Councill, which the President alledged was not entered as he had put it to the vote; that what he had put to the Vote was only whether it was necessary for His Majesty's service that the Councill should sit once a week, as has been usual, to hear and determine all publick matters before them, or whether twice a week as was desired by some Gentlemen of the Councill, and by a majority it was concluded they should sitt twice a week (to witt) Tuesdays and Fridays, but as to the matter of place where they should sitt, had not been put to the vote by him, tho' the major part of the Councill then present were of opinion the Fort was the properest place, which he the said President was very easy in. Upon which Mr Weaver in a great rage and passion did say it was a vote, and should be a vote whether the said President would or not, and that if the rest of the four members of His Majesty's Councill were of his mind, that he the said President together with the rest of the Councill that would not submit to be concluded by a majority, should be layd fast in irons and chaines, for that it was rebellion or next to rebellion; and many other scurrilous violent and unreasonable menaces and threatnings. We must indeed doe the other gentlemen there present that right to say we think they were asshamed of it.

And as to what the four Gentlemen of the Council observe to the Representatives concerning the President's absence, your Lordships will be pleased to understand he had then been in town three weeks, that divers days before he did acquaint the gentlemen in Council of his intentions to pass Easter Week with his family, that before he went he had given dispatch to all matters necessary for His Majesty's service in his absence, that Mr Weaver and some others did indeed say that he ought not to goe untill the Assembly broke up, but having been there so long and not seen any thing from them, and besides having offered his reasons why he thought he could not concurr in doing any thing with them, he could not see there was any necessity for his staying, especially when the four Gentlemen of the Councill notwithstanding all he or we could object, were resolved to act in the administration of the Government without him and the majority of the Representatives having made a vote agreeable thereunto.

Your Lordships will also please to observe how willing they have been to reflect on Coll: Schuyler and Mr Livingston, with relation to accounts of publick moneys by them many years since disbursed and received for the service of the Crown; which accounts, together with all vouchers thereunto belonging have been duely audited, examined and pay'd, and so delivered up to the respective Governours in Council and lodg'd with the Clerk thereof, and so having been as they suppose finally concluded and discharged, it will be hardly possible for them to produce Copys of all their accounts for 16 or 17 years past.

We must further beg leave to acquaint your Lordships that for the further support of His Majesty's forces we have three days ago sign'd bills of exchange (all the members of His Majesty's Councill being then present) for four hundred pounds sterling, which we must humbly

pray your Lordships will be pleas'd to direct the Agent who receives the said Companies Pay, that the same may be duely accepted and paid; all which is most humbly submitted to your Lordships with all that profoundness of respect which is due from

My Lords

Your Lordships most obedient and
most faithfull humble servants

Wm Smith Pr
Pe: Schuyler
Rt Livingston

New Yorke the
5th May 1701.

Colonel Smith, President of the Council of New-York, to the Lords of Trade.

[New-York Entries, D. 334.]

To the Right Honble the Lords Commissioners for Trade and Plantations.

My Lords.

Since the late Earl of Bellomont's death I have in conjunction with Coll: Schuyler and Mr Livingston twice wrote to your Lordships on the 30th past and the 5th instant, and therein given your Lordships on account of what had past in this government to that time, but the ship yet staying and Coll: Schuyler being gone to Albany I have thought it my duty humbly to offer further to your Lordships:—That we lately as well from such vessells as have arrived in these parts from Europe, as the Plantations of French Dutch and English, are given to understand that it's believed that a war with the French King will suddainly ensue, of which we hope to have timely notice from your Lordships, this Province being most lyable to the greatest mischeif from the French at Canada. I must therefore beg leave humbly to repeate to your Lordships the state and condition of the Forts at Albany and Schenectade, which are almost totally decayed and unserviceable, that the repairing of them will be very expensive, and when done as before will give no great assurance of those important places so necessary to protect and secure the Indians to the English interest as well as for the defence of all other His Majesty's plantations on this Continent That if His Majesty should be pleased to direct the several other Colonys to contribute towards these fortifications, a certain proportion of what the charge may be computed to amount to, yet it's humbly offered to your Lordships that the payment of such quotas will be uncertain and come slowly in; that if such war should happen, whether the money graciously given by his Majesty of England as well as what the Assembly have given here for the building a fort at Unundage would not be more properly applyed to the Forts at Albany and Schenectade, at least untill such quotas aforesaid can be collected. I must also observe to your Lordship's that the French since the last peace have industriously endeavoured to debauch our Indians, to their interest and have (as I am informed) prevailed with many of them; some reasons of which I find the late Governour had been pleased to represent to your Lordships. What further I could be informed of, is the taking from them a Minister, who had with great pains and care instructed them in the Christian Reformed Religion and of whom they had a great good opinion; whose want,

though several times represented by them, hath not hitherto been supplyed; as also that of late persons have been imployed to treat and negotiate the affairs of this Government with them, who have not been so acceptable to them as those who for a long time before had discharged that duty had great interest in them and influence on them, of which number Coll: Schuyler, above all men, is most dear to them, having by a long acquaintance as well as by his conduct and valour personally in the late war engaging with them and for them against the French, hath justly acquired a wonderfull reputation amongst them. And I must with great justness humbly offer to your Lordships, that I think that therein he hath done his Majesty and this Province very signal and acceptable service, having also for a considerable time victualled his Majesty's Companys at Albany, for which (as I am informed) there is yet due to him a considerable sum of money. The Fort at New York I must also humbly represent to your Lordships wants great repairs, and a number of guns there wants new carriages, His Majesty's revenue here in debt (as I am told) about 5 or 6 thousand pounds at least so that there is no present moneys to be got from thence for any such necessary expence; and how far an Assembly will be able to provide for these and other wants is very doubtfull. And I do with humble submission think that in case of a rupture between England and France, that it will be reasonable to believe that this province will be the cheif seat of the war in these parts and so consequently in most danger, and under the greatest difficultys and necessities; which is humbly hoped your Lordships will be pleased to have a just regard to, in making such representations thereof to his Majesty, as in your great wisdomes shall seem meet.

But as I have already humbly lay'd before your Lordships the great heats divisions and animosities amongst parties in this Province, which I humbly conceive to be of ill consequence as well to His Majesty's service, as to the peace and security thereof, soe I humbly hope it will deserve your Lordships consideration, how the same may be healed and composed, having for any thing I can observe of late been rather exasperated than appeased, for my own part having had the honour to serve his Majesty of his Council here during His Majesty's happy reign, as also Chief Justice for nine years past, and some time thereof also Judge of the Admiralty, I have always thought it the duty of my station to behave myself with indifferency to all parties, and I have confidence to believe that I have not been represented to your Lordships otherwise. I have lived to see the several parties countenanced alternately by those who have commanded, and I have still believed the best service I could render the Crown or this Province, was to improve the interest I had in this Government in perswading peace and unanimity, and I had reason to believe it would be acceptable to his Majesty at this juncture of time, to allay heats and perswade moderation, and to keep the Province from convulsion, and to hinder both parties from injuring each other, which occasioned those warm debates with those Gentlemen of the Council, who are hot men of a party. Your Lordships will I doubt not be sensible the great pains and care I have therein taken, has been only in the due discharge of my duty to that end, and tho' I have met with great difficulty and opposition therein from those Gentlemen of the Council, yet I hope the Province will be found in peace when the Lieutenant Governour arrives, being always cautious of exerting any authority as President by violence, but rather choosing by reason and temper to have perswaded them to have acted agreeable to the example of other his Majesty's Plantations who had been under the circumstances this is; having for peace sake conceded to be concluded by a majority of the Council, beyond any thing practicable in his Majesty's other platations; which I humbly hope your Lordships will be

pleased to approve of, but must beg leave with great submission humbly to observe to your Lordships whether it might not be highly important to His Majesty's service, that his Majesty would be graciously pleased to ascertain what powers and preheminences shall be allowed to be exercised by such who shall for the future happen by the like accident to preside in His Majesty's Councill in the Plantations for that I am most credibly informed that such powers have been exercised very differently in severall Plantations and have not been determined without some straine and struggle in all such Plantations who had never before been under the like circumstances of administration.

Mr Livingston hath pray'd me to observe to your Lordships that I had seen what your Lordships had been pleased to signify to the late Governour in relation to his having been concerned with Champell in the imbezzlement of part of Kidd's cargoe at Boston, and as I have had no knowledge of his guilt in that matter so I can only offer to your Lordships what proofs I can gather of his innocency therein. He brought Campell to me, who made affidavit which I herewith transmit to your Lordships. He farther tells me that some days after my Lord Bellomont had accused him to your Lordships in that thing, he, before his Lordship and the Councill att Boston did exonerate himself from any guilt therein, by his oath then and there taken, that he had not directly nor indirectly received or concealed any thing of Kidd's. He hath indeed produced to me several of his Lordships letters since wrote to him, wherein his Lordship is pleased to treat him with great friendship, to allow of several services by him done to his Majesty, promising to represent him to the government at home as a person who had well deserved of the Crown of England; which letters he intends to direct to be humbly layd before your Lordships who he hopes will retain favourable sentiments of him untill he can more fully make appear his innocency. He has a large pretension on this government for divers disbursments and moneys due for his salary as Secretary of the Indian affairs, a copy whereof I herewith transmit to your Lordships. The state of the Jerseys I have humbly layd before your Lordships in those other letters since which Coll. Lewis Morris, a person of a fair character who is possest of a very considerable estate as well in that as in this Province, acquaints me he intends to embarque for England in this ship, to procure some remedys in the disorders of that part of the Jerseys, where he lives and is concerned; that happily on that subject he may be obliged to apply himself to your Lordships, and may, as an indifferent person, inform your Lordships of any thing concerning either this or that Province, and be of great use and service to both. My Lords I humbly hope your Lordships goodness will please to pardon this prolixity and that your Lordships will also please to believe I am with all duty and profoundness of respect, My Lords

Your Lordships most obedient

New York the 10th of May 1701.

and most devoted humble Servant

Wm Smith Prt

Mr. Robert Livingston to the Lords of Trade.

[New-York Entries, D. 342.]

To the Right Hon^ble^ the Lords Commissioners for Trade & Plantations.

May it please Your Lordships.

Since the death of the Earl of Bellomont coming to the sight of the Copy of your Lordships representation upon his letters relating to naval stores and the security of the Plantations in this Northern Continent of America, and having had long experience of the affairs and circumstances of this Province and the honour to bear sundry imployments in the government of New York for many years past, I thought it concern'd me in duty and tender regard to His Majesty's interest and the safety of my country to make some observations thereupon as might be helpfull and give your Lordships a true & impartial representation so far as I am capable, which I hope your Lordships will take in good part and pardon my presumption and forwardness.

The first thing His Lordship does represent is that the defence and preservation of New York is of the utmost importance to the security of all the rest &^c^ and is a truth very worthy of his Majesty's regard, to which I crave leave to add that in time of peace with France and Christian Princes, this Province is better able to defend itself against the Indians than any of the neighbouring Colonies on either side, and if the Canada Indians can have peaceable and undisturbed passage through our Indian Country, 'twill be an easy matter for them to destroy and dispeople those noble and beneficial settlements of Virginia and Maryland, as well as the other colonies; and that for the following reasons.

First. The French by their artifices and unwearied diligence have already made a very great interest amongst our Indians of the Five Nations and that with many of the principal leading men amongst them; and though the Indians are believed rather to be influenced with fear than love of the French, yet when the French shall have extended their settlements and traffique as far into their country as their forts and garrisons, they will undoubtedly carry them, unless the English do vigorously bestirr themselves in extending both their forts and settlements to the the westward, on the south side the Lakes, equal to theirs in strength and figure, if not exceeding them.

2^dly^ The situation of the rivers of Canada and those which pass through the English Colonys are indented at the heads of the branches in the Indian Country, favour their passage and are multifarious

3^d^ The manner of their fighting which is crewell as it is cowardly; they divide into small parties of 2. 3. 4. or 5, some times more, and are carefull to keep themselves undiscovered untill they have done their mischief, after which they immediately retreat and take a pride in lying eight or tenn days together sometimes longer, under cover of an old tree or fence near to a planter's house, in which time they feed upon a little parched Indian corn which they carry about them, untill they surprize the planter at his labour in his feild, and being extraordinary marksmen shoot him down, as if he were a deer, and scalp him, or finding the men at work from the house, will barbarously murder the women and children, set the house on fire and escape, leaving the poor men vanquished with consternation.

4^thly^ The inhabitants of Virginia & Maryland as of most of the other Provinces are scattered at a distance one from another, so cannot be well defended, with regard to which circumstance this Province.

5^{thly} If the Five Nations should once open this passage to them, t'will be hard to distinguish the French Indians from ours, being originally of one kindred and language, and will be apt to joyn with them, having often exprest their resentments against these Colonies at their treaties at Albany, for not giving them assistance in the late war against the French, and complain'd that being linked in the covenant Chain, they did not send and unite a sufficient force to drive that handfull of French in Canada into the sea, and for leaving them in the extremity to shift for themselves, with the little help given them from Albany, by which means they have been spent and wasted with a tedious long warr, which an united force could have made an end of at one push, and this is the same cause of their diminution and creeping to their enemys the French against whom they are naturally prejudiced and have an aversion. And altho' the French Governours are pleas'd to call their Indians, subjects of the French King, and our Governours in like manner call the Indians of the Five Nations Subjects of the Crown of England, they do not so understand it, but look upon themselves in the state of freedom, nor was it possible for us to keep them from burning of their prisoners in the late warr after their own manner otherwise than by buying of them from them, as they passed over our frontiers.

The second thing represented is the condition of our Forts, and is a sad truth. Here I cannot omitt to take notice to your Lordships that by the establishment of the four Companys there is a surplusage of £30 p^{r} Cent stopt out of all their pay, being the difference which the King sets upon the value of New York money from that of sterling, which by the Establishment is appropriated for the paying of a Chaplain, gunner, 2 montrosses, adjutant, armourer and Storekeeper, and the remainder to be laid out upon the repairs and other incidents of Majesty's forts in this Province, for which the Governour is to account to the King only.

The surplusage in the Establishment is computed at upwards of £2000 p^{r} Annum, whereof about £300 pays all the enumerated officers; so there remains £1690 for the keeping the Forts in order, which in four years time amounts to near £7000 would go a great way to put these forts in repair. I suppose the want of this mony is the cause of their ruine for the victuallers and officers are much in arrear and were told by the Earl that (of the little they had received) he was in advance to them out of his private fortune, which they are very willing his Administrators be reimbursed by his Majesty out of the readiest of their money.

The third thing represented is the case of the soldiers, who deserve his Majesty's consideration. Their pay here is 40 p^{r} Cent worse than sterling. Coll. Fletcher has had 36 p^{r} Cent for bills, the new coyning of the money and some protested bills being returned about that time lower'd their value. Were the bills punctually paid they are worth 40 p^{r} Cent curr^{t} in New York. His Lordship and the Councill (since his death) have had 33 p^{r} Cent, which 3 p^{r} Cent is a gain, altho' they have the vanity to get the thanks of the House to some of them for advancing money upon credit of that subsistance. The Merchant of New York has no better way of making returns, especially in time of warr, when there is no risque in bills of exchange.

Cloathing and drink are double the price of what in England: a pot of beer costs 4½: to keep the soldiers from working and to duty (with submission) is a hardship next to starving, and to let them work (hiring their duty) spoils their discipline and manners. A labouring man at New York has 3^{s} a day and a soldier's week's subsistence is but 3^{s} 6^{d} which with ease they consume in two days, and this is a great cause of their desertion. Captain Leisler when he kept the fort gave his men 18^{d} per day. This day, being the 13th May 1701. were the soldiers in New York called together and made acquainted that the 30 p^{r} Cent was taken off from their

pay, but 10 p^{r} Cent still stopt for the sick and incidents; and the victuallers and officers complain that they are kept ignorant how far his Lordships Agent has received of their money; this new Establishment is to commence the 17th of this instant May 1701.

The fourth representation is of the Five Nations who are much diminished by the late warr, and I must beg leave further to observe to your Lordships those advantages which hath attended his Majesty's plantations on this Continent of America by the steadiness and firmness of the said Nations unto this Government are so obvious, that I need not enumerate them to your Lordships, they having fought our battells for us, and have been a constant barrier of defence between his Majesty's Plantations of Virginia & Maryland and the French, and by their constant vigilance prevented the French from making any descent that way; the long war and the great loss which they sustain'd in their youth hath almost despirited them, and now since the peace the French, having been so sensible of the mischeifs which they did them, have applied their cheifest artifices they could invent, either to gain them to their side, or so to terrify them that they might be in continual fear.

I therefore humbly conceive that there can be no better expedient for the restoring of those Indians affections and the removing of the terror which the French since the peace has imprinted in them, than the methods I mentioned in my observations which I made about the Indians when I went to Onondage, which I sent to the late Earl of Bellomont a 12 month agoe by my son to Boston, a copy whereof is here inclosed.[1]

The Five Nations have received such impressions of the Christian Religion that if ministers were planted amongst them to convert them to the Christian faith, it would be of great advantage to his Majesty's plantations, not only in securing those Indians friendship, but also to be a checque & discouragement to the French emissaries, who frequently visit those nations and endeavour to corrupt their affections from the English, and makes ill impressions in their mind, to the apparent prejudice of our trade, since the French by their false reports have poysoned our Indians, insomuch as to make them believe that we have no love for them, but will leave them a prey. I am humbly of opinion that it will be absolutely necessary for the King's service that all the passes between the French and them be secured, and forts built in suitable places for the security of their trade, and the preventing the French from any longer deluding or trading with them; for it is equally reasonable that we should secure the trade of our Indians to our selves, as the French do theirs, and even use the same methods of force for the effecting of it. Those forts being built at proper places, will for ever prevent the French from making any descent upon them.

5^{thly} His Lordship gave a true relation of the strength and diligence of the French in Canada: to which I beg leave to add that they are making a considerable settlement at the mouth of the great River Misasipi, which comes 600 leagues from the Northward by the west end of the Great Lakes, and disimbogues in Mexico. They are endeavouring to extend their settlements thence to Canada, so encompass the English behind, between the English and the Spanyard, there being very easy land passage by water. Two several messages were sent thither from Canada to Monsieur de Iberville the summer before last, one of the messengers (a Jesuit) was set on shore from the man of war last summer at New Yorke and returned to Canada by way of Albany.

His Lordship's proposal about repairing the forts at New York and Albany and Schenectady may be effected by the arrear of the 30 p^{r} Cent already due, which (in upward of four years time) amounts to about £7000.

[1] For these Observations, See ante, p. 648. — Ed.

As for the two new forts, 'twill be very much for the interest of the Crown and the safety of all the English Plantations on this Northern Continent such forts, and more of them, were erected now in time of peace, and that settlements were extended into the inland country towards the Lakes; but is too great an undertaking for this small Province alone, nor is it reasonable to expect it from them: as it is a general concern, so it ought to be a general charge. And 'tis but reasonable His Majesty's subjects on this Main should take upon them the charge of building such forts and making such settlements at present, and if proper measures are taken, may be done without much present smart and will undoubtedly be of advantage to them all in progress of time.—

Reasons why this great undertaking of building of New Forts & extending the English settlements into the Indian country is not be effected as begun by this Province alone.

First. All the stepps and proposals hitherto that have been made towards this end have proved abortive, and the money already expended for want of conduct is to no manner of service; The 400 wheel barrows which were ordered to be built at Albany, all falling to peices.

The £1500 proposed as a sufficient sum for the finishing the fort at Onondage of 24 six-pounders, which is already raised and levyed for the most part (and I am informed is wanted to other uses) together with the £500 Sterling advanced by His Majesty, will not pay the charge of carrying up the said wheelbarrows thither, and has this ill effect upon the minds of the subjects, to make them backward from advancing money to be squandered away and converted to other uses, and now it's not known where this Fort is to be scituate.

2dly The country where the scituation is proposed is near 300 miles distant from Albany and difficult of access and the furthest English settlement at present is about 34 miles from Albany.

3rdly The Indians in our friendship are not desirous of any such fort, but much the contrary are wholly averse to it, which appears by their neglecting to give any answer to that proposition made by the Earl of Bellomont, and the prejudice they did conceive against the King's Ingineer (Coll: Romer) who since the said conference with the Indians went into their country to view the place, but was forced to abscond in the bushes whilst his fellow travellers convers'd with them, who all returned to Albany without being permitted (as I am informed) to come within 40 miles of the point proposed for scituation of that Fort.

4thly The French have a great influence over our Indians, and have a regular fortification of stone and lime garrisoned at Cadarachqui opposite to it on the North side the Lake, which gives easy water passage.

5thly The Assemblies of the neighbouring Provinces which command their purses, will always have this argument to offer their Governours, that their advice and consent was not asked by the Governour of New York, nor the inhabitants, to the building such forts; and if the people of New York had not had some private ends of trade in prospect, they would never have been so foolish to undertake such a burden without their knowledg and consent.

6thly We have late experience how ineffectual Her Majesty's circular letters in the late war did prove, appointing the several Governours to send Commissioners to New York to agree upon certain quotas of men, and for a supply of money, and tho' the Governours of Virginia

and Maryland did prevail with their people to assist us with some money, yet could not prevail with them to send any men; some of the Commissioners came, others came not; those that came refused to act without the rest, and gave reason enough to beleive they were fond of the opportunity of that colour, by the various excuses, objections, doubts, fears and jealousies; so parted doing nothing.

To the carrying on this design of extending the Christian settlements and English forts into the Indian Country for the security of all His Majesty's Plantations on this North Continent of America:—

I humbly begg leave to propose that it is best to be done in time of peace with France.

1st That one form of government be establish'd in all the neighbouring Colonies on this main Continent.

That they be divided into three distinct governments,—to wit.

That Virginia and Maryland be annexed to South and North Carolina.

That some part of Connetticut, New York, East and West Jersey, Pennsylvania and New Castle be added together.

And that [to] the Massachusetts be added New Hampshire and Rhoad Island and the rest of Connetticut.

2dly That according to the regulation of Quotas proposed by your Lordships for raising £5000 there be raised annually for ten years following 15000 pounds towards that work, and that Commissioners be appointed from each of the three governments to be at Albany to give their advice and oversee the management and disposition of the money to those uses and not otherwise; and that Accounts thereof be remitted quarterly to his Majesty and to the respective Governours.

3dly That his Majesty send over arms, artillery, ammunition spades shovells, pickaxes and falling axes, for said service, with soldiers to garrison the said forts and defend the labourers.

4thly That a certain quota of labouring men be had from each government to work at the said forts, who are to be paid out of the said money, as are all other charges.

5thly That his Majesty's subjects be encouraged to extend their settlements into the Country, under cover of said forts, by the liberty of the Indian trade, without being imposed upon by the City of Albany or any other town or City. The City of Albany always practis'd to hinder such settlements, because they have ingrossed the Indian trade in this Province, and having built large houses and made good farms and settlements near to Albany care not to leave them to go further into the Country and will not suffer others to goe beyond them to intercept the trade, and the giving of land gratis to soldiers or planters (who know better how to use it) will not tempt them to remove so farr into the country; the Indian trade will do it as the inland country comes to be settled it will be valuable, not before.

6thly That the soldiers be recruited every two years with two hundred youths from England, and that at every two years end two hundred or one half of the soldiers be disbanded and left to their liberty, and if they stay, to have land assigned them gratis. This may be a means to strengthen the frontiers and extended settlements. At present this Province has no benefit by the soldiers who desert; they cannot live in this Province but get into the neighbouring Proprietory governments, where they are connived at and protected, notwithstanding their magistrates when apply'd unto, colour it with a fair shew to the contrary.

As to the augmentation of the number of forces, I beg leave to plain with your Lordships, that for these three years past what were above two Companies of 60 each, have been of little more service to the country than the bringing of so much money from England for their subsistance to be spent amongst us, and the bringing the ship Herter from Amboy which the inhabitants of East Jersey would have opposed by force, if they had not dreaded the Red Coats.

Two Companys lye in garrison in the fort in New York, which is of very little strength, or use, more than a convenient lodgment for the King's Governour, and a few to keep centry at his door may do well enough in time of peace at New York; were this proposal of the New Forts and Settlements going on, there is an absolute necessity to have disciplin'd soldiers in those forts to keep and defend them.

And here I beg leave to inform your Lordships that Soldiers from Europe cannot fight in the woods here, according to the manner of fighting in Europe. I beleive (I may say it without vanity) that our youth at Albany understand the wood fighting better than any, by that time the soldiers have lived their four years by their fowling and hunting along with our youth and the Indians, they will have learnt perfectly to understand the woods.

To make a soldier work, to answer an enlargement of his pay, is to alter the nature of the man. Idleness is the great motive to many of them, which makes them leave their trades and enter in the King's service, and tho' they are willing to work when they please and can have liberty, yet will not like to be compelled thereunto, especially for one third part of the wages which a Negroe slave receives every day in New York for splitting of fire wood and carrying the hodd.

My Lords, 'twill be necessary that every fort have a Chaplain in it who may likewise instruct the Indians in the Christian religion as your Lordships do well approve.

As to the production of masts and other naval stores in this province, I beg leave to inform your Lordships that I am told those that are already cut are not so large as the dimentions the Earl did notify, but are much less, and are now on ground above the falls, and cannot be got down untill the fall of the leafe, that the rivers are up; that there is yet no experiment made of getting any down the fall. Some are of opinion that the fall will spoil them, some otherwise. It is about forty foot perpendicular and for two miles above it shelving; which makes the stream so rapid that none dare come near it with a cannoe. I doubt the masts will receive damage in the falling. I should be heartily glad his Majesty might be supplyed with all naval stores from this province; there may probably be bigger trees found where more pains is taken to seek them out and I make no doubt but in process of time other naval stores may be had as good as any, and turn to a great account. Our people here at present do not well understand the making of tar pitch and rozin, and will easily learn; the only obstruction at this present is our want of people, and the high wages of the labourer, which is already much more moderate in New England than in New York, and will in time be reasonable as the country improves and abounds in people; of which we have good prospect, this being as healthfull a country as any of all his Majesty's dominions, and abounds with wholesome provisions, and tho' the greatest part of our soyl is barren otherwise than of pines and large timber on the Rocky Mountains, yet we are a nursery of people both for the West Indies and the neighbouring Provinces; to the one they goe being in hast to get rich, to the other our young men brought up in husbandry remove in flocks to settle the new country (as they call it) where they are free from taxes, and being detacht in time of war, and there is indeed a better soyle.

May it please your Lordships:

That his Majesty may receive no ill impressions of his subjects here and that there be no discouragement from so advantagious and desired an undertaking as the making of pitch tar and rozin in this Province, and furnishing of masts and other naval stores. I do assure your Lordships I durst engage for the inhabitants of the whole province that they will freely give their consent, and encourage that his Majesty shall cut down any such masts or timber as may be for the service of his Navy Royall, upon any of their lands, upon asking of the question, or for some inconsiderable acknowledgment, which to rend from them by violent means and to put in the power of our Governours to practise upon them to encrease their private interests and base ends, would be of very pernicious consequence to the subject, put them into extream convulsions and disorder, and divide between the affections of his Majesty and his people, which would want such a constitution of government to support itself as is made up of military desciplin'd captains for Councillors, and serjeants and corporals for Sheriffs and Justices of the Peace; which will never enter into the heart of so gracious a Prince to establish amongst us.

May it please your Lordships:—

His Majesty has been graciously pleased to send over a large present of £800 sterling value, which is in the Countesses lodgings in the fort, and being well husbanded might be of better service to His Majesty and have it's proper effect with our Indians.

There is a custome among the Indians to make return of a suitable present in beaver and peltry, to our Governours, which they have to themselves as a perquisite; which temps our Governours to be lavish and out vye each other in the greatness of the present. The last which the Earl gave them at the charge of the revenue of this Province was so great, that the Indians sold part of it to the inhabitants of Albany for beaver skins to add to their present, which they had brought with them for his Excellency, to make it answerable. And all such publick gifts are most exactly subdivided to every Indian of their Nations, by a natural principle they have of distributive justice, which is the cause that those of them who are most in the French interest and are aiding to the debauchery of the rest, have as much as those who are firm to the English, and we can distinguish them and the present might be husbanded and ordered to a far greater advantage.

May it please your Lordships:—

Now there are great apprehensions of a war with France put me upon other thoughts and brings me home to consider of the preservation of what we have in possession, which indeed were best to be provided for in time of peace, but will be well if it is now done out of hand. I have no other end before me than His Majesty's service and the safety of this part of his dominions, which is of very great consequence to the interest of England and must apologize for my plainness and freedom in offering what appears from my observation, being interessed as well as a spectator of the circumstances of this country affairs, and may be received or rejected in part or in the whole as your Lordship's shall recommend and his Majesty in his great wisdome approve.

As it is of utmost importance to the security of all the rest of his Majesty's Provinces on this Northern Continent to defend and preserve this Province it also consequently follows that it is of like importance to the French to take it, for the same reasons: to which I crave leave to add that the French of Canada are settled in a climate too cold for them, where the winters are long and extream sharp, their country is not capable of so much cultivation and improvement

as to produce provisions enough to maintain the inhabitants and garrisons who have their supplys in great measure from France as also the French settlements in the West Indies have the like want of provisions.

This, and the neighbouring Provinces, dos abound with all manner of Provisions and are of great use for the support of all the English settlements in the West Indies as well as for the advantage of trade with the Spanyard the Dutch and other nations in the West Indies; which trade of provisions, and Slaves, are the two cheifest commodities for which the Merchants in Jamaica, and others, have got such great quantities of Spanish gold and silver. And altho' the greatest part of our province is barren, yet that which is good is very fruitfull.

2^{cdly} The small and inconsiderable forts which we have, as they are not capable of being a reasonable defence to us, so they will be a disservice to facilitate a conquest of the enemy, their being taken giving present foothold untill the enemy shall erect better and stronger, which the French are well acquainted how to doe, and the entrance of our river from the sea is easy, well known to the French and undefended, and if once the French should get possession of the lower part of Hudson's River, Albany could not pretend to be able to stand it long out, when attackt on both sides. And there is great reason to suspect that Mons^{r} de Iberville the last summer came hither with his fourth rate man of war from Misasipi of purpose to sound our channel, which his men in boats performed every day near a month together without interruption.

The harbour of Boston is well fortifyed by a brestwork of fifty great guns on Castle Island, about a league from the town, and their channel is so narrow that ships must come very near this battery ere they pass.

Delaware River is not fortified, but Philadelphia their most considerable town is a great way from the sea, and there are some shoals and difficulty in bringing a ship of any burthen up to the town, and the Falls thereof are in the same latitude with the mouth of Hudson's River.

Hudsons River is the settlement lyes opposite and contiguous to Canada, the head of which River has been a tragical theatre for action in all the late war, where the French of Canada were foiled & received the greatest loss, and in all the late war not one foot of ground was lost by us to the enemy that way.

These considerations are enough to put the French King upon the attempting of this River with a small squadron of ships and some land forces.

Now my Lords I beg leave give a true representation of our condition in this present circumstance. Our Governour is lately dead, and the Lieutenant Governour is absent at Barbados. Our people are divided and the command of the Militia as well as the Civill government put into the hands of the meanest of the people, most of a foreign nation, who are prejudiced against the English, & strangers to government, and the richest and most considerable part of the people turn'd out of all offices in government.

His Majesty's revenue is very much anticipated and the debts of the government due upon the revenue are four times so much as they were upon the breaking up of the war, when his Majesty was perswaded to annex this Province to Boston.

His Majesty's forts are all going to ruine, the sod-work of that in New York is all to pieces and the walls want new pointing, the pallisadoes round the fort (last winter) were cut down and burnt for firewood and new carryages are wanted to the guns, some of them being dismounted, others scarce able to abide once firing.

There are two platforms before the City with fifteen guns each, to defend the town against the water. One of which is washed away by the South East storms and high tydes, and the other the Magistrates of our City saw cause to give away to the widow Leysler as a present, the ground between high and low water mark, to the value of about 2200 pounds, which is since laid out in lotts, and some part of it built upon.

The breastwork and pallisadoes which were round the town and the two stone bastions on the land side, are quite demolished. They were never well built nor of any great service, and were first erected by the Dutch Governour when the Dutch took this fort, as a defence against the English from Conetticut and New England.

The Forts at Albany and Schenectady, the frontiers, being of wood, are all going to ruine and unfit for defence.

Our Indians are diminish'd and much shaken from their former vigour and zeal against the French, and 'tis to be feared will make a totall defection to them, when they see the diligence and forwardness of the French, if not timely prevented by our early appearing with forces to their assistance on the frontiers.

And our neighbours on either side being of a different constitution of government, are divided from us in interest and affection and rejoice at our divisions and distractions, by means whereof they increase in strength and riches. Many hundred of families have removed from us, and to avoid the burthens of the late war, and being detacht to Albany, and there is also a great inequality and disproportion in trade between us and them; We having given to His Majesty a revenue upon ours to defray the charge of the government, which they do altogether evade; and the trouble which is often times unnecessarily given by the Customhouse officers to the shipping that come hither, upon meer nicetyes, where it is manifest there can be no intended fraud, together with taking of bribes and extravagant fees, are a greater clogg upon our trade than is the Kings revenue.

I shall now with all humble submission propose what I think may be necessary in this juncture for the defence and preservation of this Province in time of war.

1st That a Governour be appointed who is a soldier, a man fearing God & hating covetousness, and who will administer impartially without siding with any faction.

2dly That two large platformes be erected, one on each side the river at the place called the Narrows, three leagues from the City, to consist of fifty cannon each, the Channel there being upwards of one mile broad. The one may be covered by the inhabitants of King's County who surround on the East side, and the inhabitants of Staten Island and East Jersey may cover the other on the West side.

The ordnance must be large and of a good length, which with ammunition and other necessary appurtenances must be had from England; the platform may be built and kept in repair out of the Revenue of this Province were it well husbanded.

That 200 men will be necessary to be in garrison here at New York, and these batterys; more may be easily conveyed thither upon occasion.

That the forts of Albany and Schenectady be built of stone and lime, which though they may be chargeable in making, yet will prove better husbandry in the later end; the timber in this country is rotten, when exposed to the weather, in 6 or 8 year's time.

That the inhabitants of the Province be freed from detachments unless upon invasion, and then they will go voluntarily.

That 200 soldiers be garrisoned at Albany
100— at Schenectady
60— at Canastagione.
50— at the Half Moon
50— at Skackhook
40— at Kinderhook
40— at the Maquase Castle.

All which forts lye round about Albany and being well garrisoned will protect the farmers in their husbandry, which otherwise will all desert.

There must be one hundred Bushlopers or wood-runners that is of the youth of Albany, kept in pay about 7 months in the year at 3^s per day whose constant business shall be to move every day in parties round those frontier garrisons round Albany, as is the motion of the pendulum of a clock. When the French Indians find the tract of a mans foot in the woods near an enemy's country they are presently in a consternation and daunted, and are very dextrous in discovering of it. This with skouts kept continually out to range the woods from the several smaller garrisons, will be a means to secure our frontiers.

It is also necessary that we have at Albany a good magazeen or store, as the French have at Montreal, ready upon all occasions; besides fire arms powder and ball and ammunition, they have burch-canoes and padles, battoes, bushlopers or wood runners, coats and caps ready made, mittens, snow shoes, Indian shoes, stockins, shirts, blankets, dryd bacon, bisquet, Indian corn, &^{c} ready in case of an attaque or invasion and officers are appointed who have the charge of all these things, & keep them from spoyling.

It will be also needfull that his Majesty give his orders generally to his dominions on the Main, for the mutual assistance of each other in case any part be particularly invaded.

That a good fourth rate frigat do attend this coast in the beginning of April and to continue to the beginning of November every year during the war: she can be of no service here in the winter months when we are sufficiently protected by the North West winds, and ice, and may be serviceable to his Majesty elsewhere.

All which is most humbly submitted, by
Your Lordships most humble
and most obedient servant
R^t Livingston.

New York
13. May 1701

Lieutenant-Governor Nanfan to the Lords of Trade.

[New-York Entries, D. 383.]

To the Right Hon^{ble} the Lords Commissioners for Trade and Plantations.

My Lords.

I presume the Earl of Bellomont has acquainted your Lordships with his liberty granted me to goe to Barbadoes, in order to settle my small fortune there, very much entangled by my three years absence in attending His Majesty's service as his Lieuten^t Governour of this

Province under his Lordship, himself designing to reside here till the middle of this month. I have made all possible dispatch and arrived here yesterday.

This ship being immediately ready to saile, I cannot give your Lordships particular answers to your packetts received, directed to the Earl of Bellomont bearing date 19th 7ber. 30th 8ber and the 11th February last, but shall perfectly observe your orders, and by another ship that will saile within fourteen days or thereabouts will be very exact in informing Your Lordships of all things necessary.

The unfortunate death of the Earl of Bellomont in my absence has been no small grief to me, but thro' the prudent management of the Council the publick peace has been intirely preserved, and every thing in the same posture as when his Lordship dyed, with little alteration.

I hope to merit your Lordships pardon for my absence and gain your good opinion of my administration by wholly applying my self to the publick business of the Province; a particular of which shall be constantly transmitted to your Lordships.

I have had the honour of serving of the King since the late happy Revolution, and shall ever make it the business of my life to support his honour and interest; and if I can deserve by my actions, your Lordships favourable caracter 'twill be the hight of my ambition. I am, with great regard,

My Lords

Your Lordships most faithfull

New York 20th and most obedient servant

May 1701. JOHN NANFAN.

Lieutenant-Governor Nanfan to the Lords of Trade.

[New-York Entries, D. 389.]

To the Right Honble the Lords Commissioners for Trade and Plantations.

My Lords.

The 20th May last I gave your Lordships an account of my arrival from Barbadoes, where I had been, by my Lord Bellomont's liberty, since January last, in order to settle my small though entangled fortune, his Lordship designing to continue here till my return; and of the receipts of your Lordships packets directed to my Lord Bellomont bearing date 19th September 30th October and 11th February last.

His Majesty's letter of the 19th January with the inclosed quota of men to be provided by the plantations, I have signifyed, as therein directed, to the Governour of East and West Jersey and his Majesty's other letter dated 2d day of February relating to accessories in cases of piracy, I shall very punctually observe, and his Majesty's other letters to the neighbouring Governours I have sent forward.

I shall breifly endeavour to give your Lordships what satisfaction I can at present, to what your Lordships mention in your several letters relating to this Province and what I have done and am about to do for his Majesty's service.

Mr Weaver informs me that my Lord Bellomont before he dyed, answered Your Lordships observations on the Acts of Assembly of this Province.

Our Five Nations of Indians are at present in good disposition, and in order to confirm them in their obedience to his Majesty and friendship to this and the neighbouring Plantations I have appointed them to meet me at Albany the first week in July where I design to give them a proportion of the present his Majesty sent over. I designe with me (tho' he is now at Boston) Côll Romer, to whom I have wrote, as also to Lieutenant Governour Stoughton, the necessity of his going; when, with him, I will particularly view all our fortifications, as well as conclude on what else shall be necessary, and make report to your Lordships.

A cautionary memorandum is entred in the Council Book, as your Lordships direct, in case of death, absence, or removal of a Governour commissioned from His Majesty, that no President and Council pretend to pass laws, unless absolutely necessary for peace and welfare, without his Majesty's express order for that purpose.

I shall with great exactness observe your Lordships caution as to the reconciling of differences in this Province which undoubtedly have given your Lordships much trouble. I will always endeavour to administer justice impartially without any regard to persons or partys, nor shall any thing weigh with me or recommend any man to imployments of honour and trust, but virtue and true merit.

Our perusal of the Minutes of the Assembly here, who met between my Lord Bellomont's death and my return, the 2^{d} April last, I found so great heats and animosities in the House of Representatives, between the two different parties, in relation to the legallity or illegallity of their Session &^{c} that I could never hope any step could be made either towards the King's service or the service of this Province, by disposing them to a unanimous concurrence; so that upon several mature considerations, I thought it absolutely necessary for the King's service to dissolve them, and accordingly did dissolve them the first instant, and immediately by the advice and consent of his Majestys Council here, ordered writs to issue for the calling a new Assembly to meet the first Tuesday in August next, which will be immediately on my return from Albany, when I may be able to be apprised of particulars relating to the King's service and the good of the Province in general, proper for their cognizance.

Here is considerable parcell of the timber, plank, &^{c} my Lord Bellomont ordered to be cut for his Majesty's service, which to me appears very extraordinary, both for goodness and demention; which I shall wait your Lordships order for, how to dispose of.

My Lords, both the officer and Soldier are most abundantly thankfull to his Majesty for his most gracious bounty in remitting them 20 of the 30 p^{r} Cent deducted out of their pay, and most thankfull to your Lordships for your favourable representation. On receipt of the New Establishment they were immediately began to be paid, and as soon as possible I can get in money, which is at present very scarce, the merchants finding specie their best returns for England, I will take care every man shall be paid his just due from the commencement of the Establishment, and I will be accountable for the surplusage, pursuant to his Majesty's direction.

I shall be very watchfull of all motions made by the French of Canada towards the debauching of our Indians from their obedience to his Majesty and the interest of his plantations, and report constantly what shall occur therein to your Lordships.

The £2500 his Majesty is pleased to give toward the fortification of the forts of Albany & Schenectedah shall be no ways misapplyed, and your Lordships shall have draughts of either, taken by Coll: Romer with the form and improvements he will designe to add, in order to the building or strengthening of each.

I cannot give your Lordships any particulars relating to the situation or form of the fort designed at Onondage, till have discoursed Coll: Romer, but the money given by a tax here for the building of that Fort is most part received by the Collectors, I have ordered an account thereof to be immediately laid before me, in order to the hastening the receipt of the whole summe.

I will if possible procure an accurate map of our neighbouring Indian countrys, as your Lordships direct, marking the names of the several nations and places of their abode.

Your Lordships shall, on my return from Albany, have a perfect state of the defence of this Province.

I shall make it my particular business to enquire into and improve His Majesty's revenue as much as in me lies, both by encouragement to trade, and care that the several officers imployed behave themselves as they ought in their several stations.

The commission for trying Pirates, is received.

Pursuant to your Lordship's direction I have ordered the Court of Chancery to be held, commencing the first Thursday in August next; so monthly.

On Thursday arrived Captain Lee with stores from the office of Ordnance, but no letters from your Lordships.

I send your Lordships the two last quarters minutes of Council.

I doubt not but my Lord Bellomont before he dyed, represented to your Lordships the hardships the soldiers of the two detachments sent us for recruits viz^{t} the one from Sir Charles Hara's regiment and the other from Ireland, lye under for want of Clothes, they at present having scarce any thing to cover them; and, as I understand from M^{r} Champante's letter of March last, there was then no off-reck'nings received, I most humbly pray your Lordships to take their necessitys under your serious consideration, so that they may be clothed before the cold weather, or otherwise 'twill be impossible for them to survive. I have ordered M^{r} Champante to make his applications to your Lordships on this subject, it being so material for the King's service.

Between my Lord's death and my arrival, several of the soldiers have deserted, but I am in great hopes of retrieving them all by a proclamation of pardon, I issued on my arrival, to all shall return before the first of July next, with a reward to all shall take up any that doe not return within that time; which I have taken care to disperse round the neighbouring Governments, and have heard that most of them design to imbrace this benefit and return to their duty.

According to his Majesty's instruction your Lordships has herewith a particular inventory of the magazine &^{c} within his Majesty's fort William Henry, and at my return from Albany your Lordships shall have a particular of what's there &^{c} A duplicate of what I now send your Lordships, I send M^{r} Sec^{y} Vernon, which I will annually doe, in obedience to that instruction.

I shall observe your Lordships method in transmitting to you the public Acts of Assembly.

I know not any thing more, at present, worthy your Lordships cognizance; for my own part I will leave nothing undone that may any way advance his Majesty's honour and interest, and hope that thro' my integrity and vigilance I shall be able in some measure to gain your Lordships favourable opinion. I am, with great respect

My Lords

Your Lordships most faithfull
and most obedient servant
JOHN NANFAN.

New York
9 June 1701

Mr. Secretary Hedges to the Lords of Trade.

[New-York Entries, D. 292.]

To the Right Hon^ble^ the Lords Commissioners for Trade and Plantations.

My Lords

The King having been pleased to appoint the Lord Viscount Cornbury to be Governour of New Yorke commands me to signify the same to your Lordships, and that it is his pleasure you forthwith prepare a Commission & Instructions for his Lordship for that purpose, inserting in the said Commission a clause for revoking and determining the Commission of the present Lieutenant Governour of that Colony, or doing the same in such other manner as you think most proper. I am, My Lords

Your Lordships

Whitehall June the 13^th^ 1701.

Most humble Servant

C. Hedges.

Mr. Robert Livingston to the Lords of Trade.

[New-York Entries, D. 404]

To the Right Honb^le^ the Lords Commissioners for Trade and Plantations.

May it please your Lordships.

This goes to cover the inclosed duplicate of my observations made upon the late Lord Bellomont's propositions for the security and defence of New Yorke, dated the 13^th^ of May last, with two schemes for the security of this Province, one in time of peace, the other in time of war; the original being sent by Captain Dixon who went from New Yorke about a month agoe. Since the sending of which I was fully determined to have gone to England my self by a briganteen that put in here from Jamaica, to wait upon your Lordships, but our Lieutenant Governour who arrived from Barbados, disswaded me because he had sent to speake to the Five Nations at Albany the first week of next month, and required my attendance on that service; which I conceived my duty to obey. The reasons which induced me to so suddain a resolution was these three:—

1^st^ To vindicate my self of that aspersion of the late Lord Bellomont's mentioned in his letter to your Lordships of the 8^th^ of July 1699, of which I perceive your Lordships take particular notice in your letter to him of the 30^th^ of October 1700. Ducan Campbell was accidentally at New Yorke when I had the knowledge thereof who hath taken his oath that I never did confederate propose or agree, nor in any manner of way contrive with him, directly or indirectly, to imbezle any of the money cargo or effects whatsoever of Captain Kidd; so that this was a meer jealousie of his late Lordship at that time, without any ground, of which his Lordship was satisfyed four days after, when I took my oath before his Lordship and the Council at Boston, which his Lordships multiplicity of business caused him to omit to inform

your Lordships of, as his Lordships letter to me since, the original whereof sent over to my correspondent to be laid before your Lordships with the said Campbell's deposition, will make appear.

The second cause was, that I have so far exhausted my estate in the King's service, that I am not only become disabled to carry on my trade of Merchandize, but must be totally ruin'd, without your Lordships' redress, as the inclosed abstract will demonstrate, amounting to £3412 7 1¼. being reduced to that low estate for want of my money due by the Crown, that I am forced to take up money at 10 p^{r} Cent to pay those debts I contracted to subsist the King's forces. Moreover the Earle of Bellomont granted me warrants last fall for 5½ years salary, pursuant to the King's commission entred in the Plantation Office lib. New York. Vol. 3. p. 191. which I assigned over to the merchants for the payment of debts that I had contracted for the victualling, and afterwards makes an order of Council of the 30th January last to stop the payment thereof, whereby the merchants all fall upon me, and are like to teare me to pieces.

The 3^{d} reason was to satisfy your Lordships in any thing relating to those schemes I presumed to transmit to your Lordships, or any thing else that might conduce to the defence and security of this Province, or about the Indians.

I shall not detain your Lordships any longer having sent over my case stated, to my correspondent to be laid before your Lordships; depending wholly on your Lordship's Justice and that of my cause.

As for the offices I have formerly executed so many years in this Province, I am willing to continue the execution of, or to lay down, as your Lordships shall conceive most for his Majesty's service.

I am with great respect, My Lords,
Your Lordships most humble
and most obedient servant
Rob^{t} Livingston.

Albany the
21st June 1701

Lords of Trade to the King.

[New-York Entries, D. 802.]

To the King's Most Excellent Majesty.

May it please Your Majesty.

In obedience to Your Majesty's commands signifyed to us by the Right Hon^{ble} M^{r} Secretary Hedges, we have prepared the annexed draught of a commission for the Lord Cornbury to be Governour of your Majesty's Province of New Yorke, with a clause for determining the commission of Capt. John Nanfan the present Lieutenant Governour of that Province: and we have thereunto added a clause impowering his Lordship to command the Militia of East and West New Jersey, as the Earl of Bellomont was impowered by his commission for the Government of New Yorke; as likewise the militia of Connecticut which was comprehended in the Earl of Bellomont's commission for the Massachusets Bay, but, as we humbly conceive may be more conveniently in the hands of the Governour of New Yorke.

We further humbly offer to your Majesty that the Province of New Yorke having been severall years at great expences for the defence of their frontiers, there may be sent thither with the Lord Cornbury towards their defence 100 light muskets, fifty barrills of powder with ball proportionable, 6000 flints, 100 granade shells, 6 drums and drum cords proportionable; which may suffice at present upon his Lordships memorial hereunto annexed.

We further humbly propose that Coll. Romer the Engineer who has been employed about the Forts and Fortifications necessary for the security of the said Province, should inform his Lordship in all things relating thereunto; and that therefore said Romer may be directed to continue there till his Lordships arrival and so much longer as his Lordship shall find requisite.

We likewise humbly offer that your Majesty would please to direct that his Lordship may have a Vice Admiralty Commission for the Province of New Yorke and the Colonies of Connecticut and of East and West New Jersey, and that orders be given for his passage to his government with his goods and family; as is usual.

All which nevertheless is most humbly submitted.

STAMFORD
PH. MEADOWS
Wm B[L]ATHWAYT
ABR: HILL.
MAT: PRIOR.

Whitehall June
the 26th 1701.

[On the 6 August 1701, the Board of Trade made a Representation to the Lords Justices, accompanying Drafts of Lord Cornbury's Instructions, which are similar to those formerly given to Lord Bellomont, with a few alterations rendered necessary by His Majesty's directions given from time to time to Lord Bellmont. &c. It is in *New-York Entries*, D. 398. J.R.B.]

Chief Justice Atwood to the Lords of Trade.

[New-York Entries, D. 417.]

To the Right Honble the Lords Commissioners for Trade & Plantations.

My Lords.

Having had a very long voyage of above three months it has been impossible for me to do much in execution of either of those Cômissions which your Lordships were pleased to think me worthy of. The business at New Yorke and in the Admiralty and Circuit, the contributing towards settling a Court of Chancery & the approach of a Generall Assembly which is to meet on Tuesday next, render it I fear impracticable for me to goe to Boston to open an Admiralty Court there, till after the Supreme Court of this Province to be held the first Tuesday in October. But I hope I shall be able to be sooner at Connecticut, Rhode Island and the Jerseys, and whenever I can hear of any occasion of going to any place within my commission, I shall do my utmost to be there in convenient time.

The last Judge of the Admiralty at Boston assures me, in answer to my letter, that no cause is depending there; yet that shall not occasion my forbearing to enquire what matters ought to be brought thither.

It being my duty to advise for his Majesty's service, I have directed suggestions to be drawn for a prohibition, after a sentence in the Court of Admiralty, in favour of one Wake, who seems to have had no register to qualify his ship to trade, and yet was excused upon a pretended composition with the Naval Officer. As the Supreme Court is under the regulation of the Governour and Council, I have advised them to appoint the Court to sit specially for this matter before the usual time of sitting. I am and shall be far from prejudging the cause, and will use my utmost endeavour to do right to His Majesty and the subject.

The owners of the ship being men of good estates, the lawyers here expect a good prize of 'em & threaten beforehand to appeale to England. Therefore it may be requisite to inform your Lordships the more particularly how the case at present appears.

The Captain came hither from England two years since without any certificate of having registered his ship. Upon which the Naval Officer seized her and immediately let her goe upon the Captain's giving his single bond to produce a Register or surrender his ship by a day that is past. Returning upon a third voyage she was seized by the Cheif officer of the Customs and informed against in the Admiralty before the late Judge's Deputy who discharg'd the seizure supposing that the Naval Officer had authority to compound, and that such a bond is a composition.

The Captain is withdrawn from this Province the ship continues here, but, as I take it, cannot be bound by this obligation; and if the sentence of the Court of Admiralty cannot be set aside at Common Law, His Majesty will be defeated of his forfeiture; nor as I conceive is it reasonable to stay for the ordinary session of the Supreame Court, not only because of the complaints of the Captain, of the Ship's being kept from her voyage, but of the danger that it should be carryed away before the matter be legally determined.

Indeed an information by another informer was exhibited into the Supreame Court before my arrival, but the sentence in the Court of Admiralty may certainly be pleaded in barr to that. Thó the death of the late Earle of Bellomont was a great disappointment to me, I must needs owne myself much obliged to the Lieutenant Governour, who seems satisfied with my zeale for his Majesty's service; in which I find him very hearty.

He has, in my apprehension, obtained a very advantagious gift from the Indians of a vast tract of land, of great consequence to secure their fidelity. I expect from his prudence an happy issue of the General Assembly: & cannot but hope for your Lordships favourable construction of my endeavours for the service of his Majesty and good of this Province, humbly begging the continuance of your protection to, My Lords,

New York the
16th August 1701

Lords of Trade to Lieutenant-Governor Nanfan.

[New-York Entries, D. 401.]

To the Hon^ble^ John Nanfan Esq^r^ His Majesty's Lieutenant Governour and Commander in Cheif of his Majesty's Province of New Yorke and the Territories depending thereon in America, or to the Commander in Cheif of the Province of New Yorke for the time being.

Sir.

Since our last to you of the 7^th^ of May we have received yours of the 20^th^ of the same month and of the 9^th^ of June. We had also before the receipt of yours, one from the Council of New York dated the 10^th^ of March, two from M^r^ Smith M^r^ Schuyler and M^r^ Livingston joyntly dated the 30^th^ of April & 5^th^ of May, one from M^r^ Smith dated the 10^th^ of May, and one from M^r^ Livingston dated the 13^th^ of May.

We are satisfied to understand that your arrival at New York had put an end to the disputes that were risen amongst the Counsellors there, about the devolution of the Government, concerning which we will only say that we do[1] find by his Majesty's commission to the Earl of Bellomont that any distinct power is conferred on a President separate from the rest of the Council of that Province. The heats that have been long amongst the Counsellors and others are so very prejudicial to that Province that we think it proper to renew our directions to you, that you use your utmost endeavours to allay them.

We are sensible of the hardships the soldiers lye under, and have done what we have been able upon all occasions for their incouragement. We are very well pleased with the care that has been taken there for their present subsistence; and as M^r^ Champante is hitherto continued in the Agency & does accordingly look after their concerns, we doubt not but he gives you due notice of all things relating thereunto.

Your letter does not require any particular answer; but we do expect the success of the meeting of the Assembly that you had called, the effects of your intended meeting with the Indians, and an account of the state of defence of the Province, with what else you promise.

We have given due information of what you write, or what we have otherwise understood concerning the timber plank and masts that were provided by the Earl of Bellomont, and doubt not but such orders will thereupon be given as shall be thought fit.

The Earl of Bellomont in his letter of the 21^st^ February last, proposed to us some doubts concerning foreigners endenized in England, upon which we took the opinion of M^r^ Attorney and M^r^ Sollicitor General, and we now send you here inclosed a copy thereof.

You will have understood that his Majesty has been pleased to confer the Government of that Province upon the Lord Cornbury, whose dispatches are now preparing. In the mean while the care which you have hitherto taken in the government will be a means to recommend you to his Majesty's favour in some other station. So we bid you heartily farewell.

Your very loving friends

PH: MEADOWS
JOHN POLLEXFEN.
ABR: HILL.
MAT: PRIOR.

Whitehall August
the 20^th^ 1701.

[1] *Sic.* qu? do *not* find. — ED.

Lieutenant-Governor Nanfan to the Lords of Trade.

[New-York Entries, D. 412.]

To the Right Hon^ble^ the Lords Commissioners for Trade & Plantations.

My Lords

My last to your Lordships was the 9^th^ June in which I inclosed to your Lordships an inventory of all particulars within his Majesty's fort William Henry; I have since met our Five Nations of Indians at Albany and now inclosed send your Lordships the journal of the agents I sent to Onondage in order to watch the motions of the French Agents sent thither, viz^t^ Mons^r^ Maricour and the Jesuit Bruias; the conference with our Five Nations, with an instrument I have procured from them whereby they convey to the Crown of England a tract of land 800 miles long and 400 miles broad including all their beaver hunting; with a draught the most accurate I have been able to procure, of the situation of our Five Nations as well as that land conveyed to his Majesty, which your Lordships may please to observe begins at Jarondigat, and is within the prick'd line I heartily wish and hope it will prove both serviceable and satisfactory to his Majesty, and if I have your Lordships approbation of my industry I have my ends.

In perusal of the Conference your Lordships will see how intirely I have fix'd our Indians in their obedience to his Majesty and in their friendship to this and his Majesty's neighbouring Provinces, which I hope may be equally serviceable and satisfactory. I brought with me to New Yorke Decanissore, the great Indian of Onondage, and sent him up extreamly satisfied with some small presents; he giving me great assurances of his zeale for his Majesty's interest.

I since am honour'd with your Lordships packetts via Boston of 29^th^ and 30^th^ April, directed to the Earl of Bellomont or Commander in Cheif, and one other packett of the 7^th^ May, directed to my self.

As to that of the 29^th^ April, I immediately order'd his Majesty's Proclamation relating to Pirates, to be read in Councill, and then published and publickly affix'd, and shall exactly observe all your Lordships orders contained in that letter. And as to your Lordships of the 30^th^ D^o^ with his Majesty's order countersigned by the Lords of the Treasury, commanding the not allowing M^r^ Weaver's article in his acc^t^ for one year and half's sallery &^c^ I also read in Council and directed accordingly.

As to your Lordships of the 7^th^ May to me, I shall as carefully observe both as to your advice & your direction; and to shew your Lordships that it was my opinion that neither his Majesty nor the Province could be served during the heats & animosities of parties, I inclose your Lordships two proclamations I issued on the dissolution of the late Assembly, & my speech to this Assembly, who met yesterday.

Your Lordships will see my intention is to revive an Act expired in May last, which I hope to effect, and do promise my self great assistance from so honest and so judicious a gentleman as our Chéif Justice, for his Majesty's service and the service of this Province.

As to the fortifications on our frontiers, what are of the old yet standing are so much out of repair that they are perfectly unserviceable. Coll: Romer I have not been able to procure from Boston thô I have wrote often to him and the late L^t^ Gov^r^, the absolute necessity there was of his immediately beginning to fortify Albany and Schenectadah; but the Council and Assembly resolve to detain him till he has fortified their Castle Island. I carried with me one

of the Surveyors General, and to make a beginning I staked out one of Coll: Romer's designes, viz^{t} the oblong square sent to your Lordships, believing it to be most conducible to the safety of the town, and on the Coll^{s}: arrivall I will forthwith order him to proceed and from time to time give your Lordships an account of our progress; and as [to] the fort at Onondage not having seen Coll: Romer, I have not been able to inform myself in that matter.

I most humbly thank your Lordships as to the augmentation of my sallery, and shall from my arrival last from Barbados receive it, as your Lordships conceive I am intituled to, by his Majesty's commission, till his Majesty's pleasure be further known.

I shall make it my intire business the improvement of his Majesty's revenue, & take particular care that all the Officers concern'd therein, effectually do their dutys. The Books and Accounts of His Majesty's revenue are in the hands of the Commissioners for accounts; but the late Act of Assembly being something defective, they could not well proceed, but I have recommended it to the Cheif Justice to make such amendments as it requires, and will [recommend] to this Assembly the continuance of it for some longer time.

I know nothing else at this time material for your Lordships cognizance, but will make use of all opportunities of informing your Lordships of what may occur. I am, with great regard,

My Lords,

Your Lord^{ps} most faithfull
& most obedient servant
JOHN NANFAN.

New Yorke the
20th August 1701

P. S. My Lords, I am disappointed of the 2^{d} quarters minutes, they being not quite ready, and this ship just going. I will send them by a vessell will goe very soon.

Journal of Messrs. Bleeker and Schuyler's Visit to Onondaga.

[New-York Papers. Bundle P. Q., Q 47.]

Journal of Capt^{n} Johannes Bleeker Jun^{r} and M^{r} David Schuyler Journey to Onondage being sent thither by the Commissioners for the managing the Indian affairs—Albany second June 1701.

1701. June the 2nd—Wee went from Albany to Schennechtady and gott our horses shod

June the 3rd. Wee sett out from Schinnechtady and came to the Protestant Maquase Indian Castle and told them that wee were bound to Onnondage to hear what Mons^{r} Marrecour had to propound to the Five nations—

June 4th. Wee came to the furthest Castle of the Maquase, the Sachims desired us to stay a day and they would send some of their number with us to Onnondage to hear what Marrecour had to say, which wee did.—

June 6th. Wee proceeded on our journey and when wee had travelled about thirty two miles it begun to rain.

June 7th. About noon it clear'd up and wee went on and gott to a creek called Eghwake.[1]—

[1] The Eghwagy is the East branch of the Tienaderha, or Unadilla, creek, and rises in the town of Paris, Oneida county. It will be found laid down in Guy Johnson's Map of the Country of the Six Nations, and in Sauthier's Map of the Province of New-York. — ED.

June 8th. Wee gott to Oneyde where the Sachims desired us to stay aday and they would send Sachims with us, which wee did.

June the 9th. Mathys Nack came to us in Oneyde with instructions from the Lieut^{t} Gov^{r} and Councill to require the Sachims of the five nations to meet his Honour att Albany in thirty dayes Whereupon wee forthwith convened the Sachims of this Castle together and acquainted them therewith and gave them seaven hands of Wampum.—

June the 10th. Wee went from Oneyde with five Oneyde Sachims and arrived at Onnondage and called the Sachims together and told them that the Lieut^{t} Gov^{r} expected them at Albany in thirty days and gave seaven hands of Wampum.—

June 11th. Wee sent two Onnondage Indians express to Cayouge and the Sinnekes Country to acquaint the Sachims to be att Albany in thirty days pursuant to our instructions.

June the 13th. The said two Messengers returned to Onnondage having performed their message.

June 14th. This evening four Sinneke Sachims arrived whom the Onnondages had sent for to hear what Mons^{r} Marrecour had to propose, and to consult about two Belts the one being sent by our Governour and the other by Marrocour—the Belts were relating to religion, which were rejected by the Onnondages; what the Cayouges and Sinnekes will doe time will learn.—Dikanissore Chiefe Sachim of Onnondages lately from Canada doth say that when he came to Montreall the Governour received him kindly, saluting him with two kisses, telling him he was glad to see him alive. and while he was discoursing with the Governour, a person of quality came in whom the Governour's interpreter told—This [is] the great Hero whose picture you have seen att Paris and further that he dined with the Governour att his table and din'd also with a Clergyman a Fryer who desired that he might have his picture drawn—That he gott many presents of the Governour, a gunn with two barrells a lac'd coate a hatt a shirte Tobacco and sundry other things.—

After six days stay he told the Governour he would return which the Gov^{r} left to himselfe adding that he would not press him to stay, since he knew that if he were not in the Castle all would run into confusion, telling him withall that he would be wanted there to send for the Cayouges and Sinnekes agst Marrecour's coming to Onnondage.—

Dekanissore told the Gov^{r} he would send for all the Five-nations together and for his Brother Corlaer likewise, the Gov^{r} told him he might do his pleasure, that he never said any thing but every body might hear itt and caused him to be conveyed by three Frenchmen above Cadarachqui telling them not to lett him paddle all the way which was punctually observed.—

Wee endevoured to satisfy him of all the French intrigues and told him to goe to Albany to hear what proposals would be made there with a considerable present and that the Rather because he had not been there last summer when the Sachims were there and being lately come from Canada would be best able to give an account of affairs there, asking him withall what he had done in Canada, who answered wee should hear that when all the Sachims of the Five nations were mett together.

June 18th. Wee desired the Sachims to meet since wee would send a post to Albany, they said they were not a full house and soe could not give a positive answer but as soon as the rest of the Sachims were come, would tell us when they went to Albany and would send a post before.

This day a post come who told that Monsr Marrecour was a coming that he would be here tomorrow; A while after a Frenchman and an Indian came who desired of the Sachims who were then mett that they would receive Monsr Marrecour att Caneenda eight miles from Onnondage and that some Squaes should goe along to carry the Baggage.

The Sachims forthwith went with a great Company to receive him the Sachims asked us to goe along, but wee told them wee were sent to Onnondage and not to Kaneenda.

They came in the next day in great triumph with the French flagg the Sachims mett together and the french made their proposals, among the rest the Jesuit Bruyas told them of the King of Spain's death.

June 22nd. When wee were all Conven'd the Cayouges acquainted Corlaer and the four nations that they had lost their great Captn last fall call'd Kanonaweendowanne, and have gott his Brother to succeed him who takes the same name, they gave a bunch of Wampum to each nation and to Corlaer also.

The Onnondages did also acquaint the Assembly of the great loss they had lately sustained by the death of Sakoghsinnakichte one of their Chief Captns who departed this life this last winter and have nominated another in his room with the same name and gave each nation a bunch of Wampum.

the 19. June 1701. Dekanitsore Chief Sachim of Onnondage doth in the publick meeting of all the Indians, acquaint them that he had been lately at Canada and had spoke to the Governour by the fourteen Beavers as follows.—

Father.

You see here your child who treated with you here last year that if any of our people should be kill'd wee were to acquaint you of itt and now I am come to tell you that they have kill'd of our people twice since that time, and you told us then that you would send for those that did the mischiefe and they should make reparation — Itt had been well if you had said then that those who kill should be kill'd themselves, if wee had had a fowl heart when wee were kill'd wee would have kill'd them again. Gave a bunch of Wampum.—

You told us your children to come and trade here and now you see us come who heartily salute you — gave three Beavers.

Wee desire you to lett us have good Pennyworths — gave three Beavers —

You Governour are very unfair, to go about to build a Forte att Tuighsaghrondy[1] before you acquaint us therewith, I thought you would have told us when you had any such design and desire you doe not proceed with your worke till the middle of summer and then our Sachims will be here when wee will treat about that matter — Gave four Beavers.

Wee hear they are going to warr in Europe tell us the truth of that matter.

Wee tell you further that the Wagannes take our land from us, where wee hunt beaver, lett them hunt upon their own land els wee shall kill one another for the beavers when wee meet together; Wee doe suspect that some have been kill'd already by this meanes, therefore desire that the Waganhaes may make a little room that wee may finde out who knocks one another in the head — let us have no controversie for that place where the beaver keep.

[1] Detroit. — Ed.

The Governour of Canada answer with three belts and a bunch of Wampum.—

Children.

Wee treated here last year and I told you if any of your people were kill'd to tell me of it, and itt is now twice that I have heard your complaints of your men being kill'd, I have said nothing to itt yet.—

Children. But as soon as my Ambassador comes from Ottowawa who I send there then I will think of your complaints, itt would not be well to speak of itt before I know the matter, did give a belt.

I doe make a Forte at Tjguhsaghrondy to supply you with all necessaries when you are a hunting, powder and lead ettc: and what else you shall want: did give a belt of Wampum.

You say itt is Warr but I know nothing of the matter, itt is now peace with all you Five nations and therefore do not hearken to any ill discourse and be quiet and hearken not to your Brother Corlaer when he stirrs you up to evil, itt is now peace as long as wee live, and if there be warr again, lett us fight along with your Brother Corlaer and you may have powder where you please either att Canada or from your Brother Corlaer and then you will live in peace. You shall have two Roads to goe in safety while wee will bee att warr, one to your Brother Corlaer, and another to us in Canada—did give a belt of Wampum.—

You tell me I am not good, but nobody knows my thoughts, if M^{r} Marricour had known my design last fall he would have told you that I would have made a Forte att Tjughsaghrondy, and hereupon I gave a Bunch of Wampum.—

Dekanissore told the Gov^{r} of Canada

You have now spoke but I would not have you write any thing downe, for I can not come to treat of any public affairs only this I say that you and our Brother Corlaer will quarell, because nobody knows your thoughts, I will acquaint your Brother Corlaer with what you have said as also the Maquase.—

This Dekanissore told in the presence of Mons^{r} Marrecour when he was about to make his propositions to the Five Nations the 19th June 1701, in Onnondage which was as follows.—

Your Sachims of the five nations, your Father Nondio Gov^{r} of Canada calls you to come in thirty days to him—did give a belt of Wampum.—

I demand now all our prisoners Christians and Indians that are still among you and I will now take them along with me—did give a belt of Wampum.—

I doe now acquaint you all that wee doe make a Forte att Tjughsaghrondy, wee had such thoughts last winter when you were att Cadarachqui to build a Forte there to prevent all inconveniences of the Waganhaes—doe give a bunch of Wampum.—

I doe acquaint you with the death of the King of Spain, and that the Dauphin's youngest son succeeds him in that Kingdom which is a very great country and like to be a great deale adoe about itt and how matters will goe yett time will discover; when the King of Spain was upon his death bed he considered that itt would be best to leave his Crown to his nearest relation and gave a belt of Wampum and told them further, that he hath send some of his people to Cayouge and the Sinnekes to make the same propositions to them as he had done here.—

Dekanissore came and told us that they were much confused in their meeting and extreamly divided, some will have a priest on the one side of the Castle and a Minister on the other side, and asked our advice. wee told him to take no priest into the country if they were minded to live peaceably, for they would then have a Traytor always in their land. Your Brother Corlaer will never be able to speak a word to you but the Govr of Canada will know itt. On the other side you maybe assured that Corlaer the Governour of New York will never suffer itt soe long as sun and moon endures, how are you soe discomfited and affrighted doe you not see how the French creep and cringe to you with beads and shirts to make friends with you, would he, doe soe if he had any ill design, be not affraid of the French, speake like men and behave yourselves like soldiers, for which you have always been famous.—

Dekanissore replyed, wee are affraid the French will make warr again upon us and what can wee doe then poor people for all them that he pronounces dead are certainly dead, wee have found itt soe by experience as also our Brethren the Maquases, and if wee comply not to what he will have us wee fear he will come again and kill us. Wee answered:

Brethren.

You talk of nobody but Onnondio the Govr of Canada or doe you think that your Brother Corlaer cannot be angry likewise he has tender'd you first a Protestant Minister and would you now take a Popish priest, that would render you ridiculous. Wee admire that you are soe affraid of the French when there is no cause, when you can support your reputation, can you not see that the French are in want, how are you soe brutish and stupid; I was at Canada this spring and see their scarcity of provisions and wherewith would they goe to warr, be not affraid, speak like men, neither dare the Governour of Canada make warr upon you before there is a warr between the two Kings at home and if that happen'd the Brethren would see what care our King would take of you.

Dekanissore Replys and said.

Itt was concluded in our covenant that he that touch't one all the rest would resent itt, butt wee found itt otherwise by experience when the French came and destroyed our Country and the Maquase wee gave you seasonable warning, but gott no assistance and that makes us afraid what to doe;—About ten a clock att night Dekanissore came to us again and told us they were still divided in their opinions and that he had not slept in two nights and prayed our Councill what to doe, wee told him to keep the Priest out of the Country to keep their land free and clear and not to fear.

The 22nd June 1701. Dekanissore speaks and said—

Wee are desired by both parties to turn Christians, in the first place by a belt given us in this house by Coll: Peter Schuyler Queder, and Mr Livingston secretary and then another belt sent by the Govr of Canada, wee see both the belts hang in these Courte house.

the French being present and all the Five Nations they said—

Brother Corlaer and Governr of Canada.

You both tell us to be Christians, you both make us madd wee know not what side to choose but I will speake no more of praying or Christianity and take the belts down and keep them because you are both to dear with your goods, I would have accepted of his belt who sold the cheapest pennyworth, would you have me put on a bear skin to goe to church withall a sundays, wee are sorry wee can not pray, but now wee are come to this conclusion those that sells their goods cheapest whether English or French of them will wee have a Minister, our Sachims are going some to Albany, some to Canada in the mean time we will consider of itt till winter—

Wee believe the Christians are minded to warr again because the Priest is soe earnest that wee should be newter and sitt still, and wee tell you wee will hold fast to the peace, and if there be any breach itt will be your faults not ours, You must heare us speake before you engage in a warr again and then gave a belt of Wampum to us and another to the French—

When Dekanissore had made an end of his proposition he told us, he would not goe to Canada (as he was once designed) because he could not get his requests granted of having goods cheap, what pains he took was not for his private gaine, but for the good of all the Five nations and those that gave the last pennyworths them they would love best.

The 23d June All the Sachims of the Five nations being convened together call'd us and said, Corlaer hearken to what wee are now going to tell you what happened in our hunting with the Waganhaes or Farr Indians; wee have made peace with four of their nations and wee gott some skinns from the Waganhaes which is a signe of peace and told us further they would conceale nothing from us but wee should know whatever thing hapned in their Country—this is all interpreted by Lawrence Claese the Interpreter.

sign'd JOHANNES BLEEKER, Junr
DAVID SCHUYLER.

Translated out of the Dutch by me
(signed). Rt LIVINGSTON Secretary to
the Indian affares

24th June 1701. Now follows what hapned att Onnondage after Captn Bleekers departure to Oneyde.

The house being mett, Dekanissore said he believ'd when the Sachims would come to Canada the Governour would insist upon that point to have a Jesuit in their Country and if he does, soe, what shall wee doe. David Schuyler replyed that they should never agree to that, that they were assured our Govr would never suffer that soe long as the sun and moon endured, he believed the Sachims would grant itt notwithstanding because they fear'd the French.—

25. June A messenger comes from Canada to Marricour who caused the Sachims to meet and tells them that he had received news from Ottowawa from Mr Corlemansche that all their prisoners were coming which they had among the Waganhaes, and that they would be in Canada in ten days time; And that the Sachims were called to be in Canada in fourteen days time.

The 26th June The Sachims being convened Dekanissore told Monsr Marricour. Corlaer tells us wee are Masters of our own land and the Govr of Canada has told us the same, and now without speaking a word doe you goe and build a Forte att Tjughsaghrondie. He said further, my Brother Corlaer is instant with me to turn Christian and Onnondio also if but one had desired itt wee would have accepted of the offer for wee Sinnekes are minded to have one faith.

27. June Early in the morning a canoe with three French and two Indians went to Canada to bring the news that Indians were coming.

28 June Monsr Marrocour went from house to house to gett the French Prisoners and gott three women and a boy among the rest he comes into a house of an Indian called Taghwangeronde and finds a little French boy whom he gott to his lodging after much adoe, and when he was taking him to Caneenda to the Canoes, the boy cry'd desperately, att last two Indians came to rescue the boy, and stood between him and Marricour and said, what is

this, doe you begin to steal away people, Marrecour told him the Sachims had agreed to itt, the Indians told him he should carry none away against their will, then Marricour lett him goe and said you are masters here, and went to Caneenda and meeting several squaes told them he would be back in thirty days to compell those that were unwilling to deliver over the prisoners. When this news came into the Castle, the Indians were much perplexed and called their Councill forthwith and sent Dekanissore with a belt of Wampum to Monsieur Marrecour telling him to have patience till the fall for the prisoners, and gave him a belt which Marrecour rejected telling him to carry itt to those who were unwilling to deliver up the prisoners and to tell them to deliver them up and soe Dekanissore came back to the Castle.

The Indians were all very much troubled and affraid and sent a Post to Marricour and desired him to stay till next day att noon which he promised to doe, then the Sachims went about all night for prisoners and gott three women and in the Morning Dekanissore went with the prisoners to Caneenda and I went along with him to hear what he would say to Marricour.

The 29th June att Kaneenda.

Dekanissore said to Monsr Marricour. Wee children of Onnondio Governour of Canada have now spoke of peace and wee would have been angry if wee had gott no prisoners from you, when wee Sachims come to Canada wee doe not concern ourselves with prisoners and you cause us to intermeddle with them here. Here wee give you three and wee expect that as soon as you come home you doe the same; I doe not speak of the prisoners that are among the Dowaganhaes, but those that are under your roofe (pointing to the Priest) in Caghnuage and if they doe not come itt will be your fault. You will stirr them up, but wee expect that all those that are unwilling, you will bind them and throw in our Canoes, and as for you Monsr Marricour, you had last fall fifty or sixty prisoners from hence, and wee have not had one from you, and you come and speak of peace and are scarce sitt down to smoake a pipe but talk of coming and knocking us in the head, and therefore I say nobody knows your heart. Wee have now peace and that wee will keep.

The Jesuit promised in Marricours name that they would do the same with their prisoners as they now had done.

Dekanissore called the priest aside alone and said that he would be now disobedient for he would goe to Albany in ten days time the priest answered he might doe as he pleased.

Sign'd David Schuyler
Lawrence Claese.

translated out of the Dutch by me
(signed) Rt Livingston Secrty
for the Indian Affares—

Conference of Lieutenant-Governor Nanfan with the Indians.

[New-York Papers. Bundle P. Q., Q 48.]

Upon the 10th July 1701.

All the Sachims of the Five Nations (who arrived here yesterday) repaired to His Majty's Fort att Albany, and waited on the Honble John Nanfan Esqr Lieut. Govr and told him they were heartily glad to see him in that station, and that His Majty of great Brittain whom they call Coraghkoo had been pleased to pitch upon him to succeed the late Earle of Bellomont deceas'd to be Govr of this province that they were come upon His Honrs message and had brought no presents with them now, being come only to congratulate His Honour in his Governt and said:

Brother Corlaer.

Wee hope you will continue the love and affection that former Governours sent by the Kings of England have had to us the Five nations.

The Lieutt Govrs answer to the 5 nations.

I heartily thank you for your kind congratulation and you may be assured not only of the favour and protection of the great King of England my Master the demonstrations whereof you will finde before you goe hence, but of my rediness to serve you on all occasions I purpose to speak to you to morrow at nine a clock in the Courte House and hope you will be there ready to attend.—

(signed). Rt Livingston Secretary for the Indian affares.—

First days conference:

Present—Coll: P. Schuyler of His Majties Councill
Jan Janse Bleeker Mayor.
Johannes Bleeker Recordr
Johannes Schuyler, David Schuyler, Johannes Abeel, Johannes Cuyler, Johannes Roseboom, Wessell ten Broek } Aldmn
Majr Dyrk Wessells
Captn James Weems
Jonathn Broadhurst Sheriff
Hendrick Hanse
Jan Baptist van Eps, Lawrence Claese, Hilletie Olinda } Interpreters.

Att a conference held att Albany between the Honble John Nanfan Esqr Lieut Govr and Commander in chiefe of the province of New Yorke and territories depending thereon in America and vice Admiral of the same and the Sachims of the Five Nations called the Maquase, Oneydes, Onnondages, Cayouges, and Sinnekes in the City Hall of Albany on the 12th day of July 1701.—

Brethren.

I am sorry to begin our conference with the melancholy story of the death of the truly noble Lord Richard Earle of Bellomont late Captn Generall and Governour in chiefe of this province ettc: whome itt hath pleased God in my absence from this province ettc: whome itt hath pleased God in my absence from this province, to take unto himselfe.

Itt has pleased His Majᵗʸ to appoint me by his Royall commission to succeed in the Governᵗ of this province, I doe therefore assure you in the name of the great King of England my Master, not only of his kindness and protection, but of His Majᵗʸˢ particular favour and esteem for the Brethren of the Five Nations, which you will finde by that considerable present he has been pleased to send from England for you, and now brought hither by me to give you as a marke of his Majᵗʸˢ favour, for your adhering to the interest of the English Crown, which as it is your duty as his subjects soe you will ever finde itt tend to your best security and preservation—

I am not a stranger just come among you, and therefore not surprised to hear that the French of Canada continue their practices and wicked artifices to deceive and seduce you. I hear that Monsʳ Marricour and the Jesuit Bruy as agents sent by the Govʳ of Canada, have been lately in your Country att Onnondage, I desire to know their business and negotiation with you.

I am also desirious to know what progress you have made in that matter of moment recommended you soe highly in the last conference to make peace with the Farr Nations of Indians whom the French have soe long imploy'd to kill your people, you must needs perceive their drift by such methods itt is to extirpate your name without which they can not reckon themselves secure in their Country.

I am glad to hear you have refused to accept of a popish priest in your country from the French, you shall not faile to have protestant Ministers to instruct you in the true Christian religion, Wee expect some very soon over, but if you receive a French priest into your country, I must take it as a total defection of your Loyalty to the English Crown.

I hope you have prevailed upon your brethren that deserted you and went to the French, to return back to a plentiful country rather then to starve att Canada; I doubt one of Monsʳ Marricour's principal errands has been to fetch from your Castle Indian corne to subsist the people of Canada almost famish'd for want of food; Pray tell me if they have not made another trip from Cadarachqui for Indian corne since our people came from thence.—

I will say no more to burthen your memories I will discourse you further upon another subject when I shall have received your answer to what I have now proposed to you.

(Signed) Robᵗ Livingston
Secretary for the Indian affairs.

Second days conference.

Present—as before on the 12ᵗʰ Inst.

Names of the Sachims of the five nations

	Maquase.	
Onucheranorum Speaker	Hendrick	Cornelis
Sinnonquirese	Joseph	Sidgsihowanne
Tolo Quatho	Gideon	Awanay
	Oneydes	
Sayojochrachqua	Anagaranie	Arackkonickko
Degarandagoo	Shagahawinitta	

	Onnondages	
Degachnawadichqui	Tagojodda	Kanadgeharon
Sajades	Kachradogha	Canogrodon
Sadeganaktie	Kaniadaris	Pleharare
Adiadaronque	Diskaneracke	Ajadis
	Cayouges	
Conde	I Garagera	Towadicho
Tosinawejago		
	Sinnekes	
Tahaweragenni	Annaquaris	Sonochsowanne.

The answer of the Five nations of Indians the Maquase, Oneydes, Onnondages Cayouges and Sinnekes to the Honble John Nanfan Esq^{r} his Maj$^{ty's}$ Lieu^{t} Gov^{r} of the province of New York and its dependancies in America and vice Admiral of the same—in Albany the 14th July 1701.

Brother Corlaer.

Wee are glad to see you in this station to command this province, wee must own ourselves very happy under so gracious a King who was so prudent and provident to send over two Governours the one to succeed the other wee take it to be his great care and love to us.

Wee are sorry for the death of our late Gov^{r} the Earle of Bellomont, wee hope his soul is in heaven, and on the other hand wee are glad to see that soe good a man as yourselfe succeeds him.

Wee must esteem ourselves extream happy that our Brother Corlaer is a young active man expert in warr itt is the joy of all our young people to see a Governour fitt for service and that can travell and endure fatigue, wee will all have our eys fix't upon you the rather because wee meet with great difficulties dayly from the French of Canada.—

Brother Corlaer. Wee doubt not but you will be carefull to keep and maintain the covenant chaine firme as the late Gov^{r} has done, who is now in heaven, and our earnest desire and prayer is that you may continue long with us in the station His Maj^{ty} has been pleased to place you in and that wee may frequently see one another in this Citty the Generall place of Treaty of all the five nations.

Wee doe with all sincerity acknowledge the great kindnesse, that His Maj^{ty} our great King has for the five nations. Wee will endevour to behave ourselves as such that may merritt his Majesties esteem by our faithfullness to the English Crown. Wee cannot sufficiently express our gratitude to soe gracious a prince and wee shall never faile to obey your Commands who are his Lieut^{t} and doe hope that in some respect you will also hearken to us as the case may require

You are desirous to know what the French agents have done in our country — their principal business was to settle a priest among us to teach us Christianity but wee have soe often had experience of their wickedness and fallacy, that wee have possitively denied him any access there, for by the priests means, wee have been brought very low, they have been the occassion of the death of many of our men and of a great breach in our country by seducing our people to Canada.

You are also desirious to know what private negociations or underground darke dealings there has been with the French in our country; We have made strict enquiry among all our

people and can learn nothing but what the people you sent thither are privy to, and what they entred down in writing, if you know of any thing else then what they have given you an account of, pray tell us, wee shall be glad to be informed—You know Brother, that as often as the covenant chain has been renew'd itt has allways been agreed that neither party was to listen to any story's or falsehoods.

As to the satisfying you of what treaties wee have made with the Dowaganhaes and other Farr Indians, wee have endevoured to acquaint you by the sending of a large skinn upon which the Castles are painted with whome wee have concluded a peace, meaning that Elk skin sent by Captn Bleeker and David Schuyler where there is two Castles painted with red upon itt, adding, they have made peace with seaven nations and that the two nearest nations are only painted as being the principall the names of the said seaven nations wee have made peace with are: Skighquan, Estjage, Assisagh, Karhadage, Adgenauwe, Karrihaet, Adirondax.

As to our Indians debauched to Canada by the French wee have used all endevours imaginable to gett them back but cannot prevaile, the Jesuits have soe great influence upon them that they stop their coming to their own country and the Govr of Canada has them now wholy devoted to his service

The Lieutt Goverr told the five nations he was glad they had made peace with soe many of the farr Indians and hop'd itt might be lasting and desired to know, how many nations their were still in warr with them.

They answer their are six nations still that make warr upon us that wee know besides those wee doe not know.

sign'd. P. Schuyler. J. Johnson Bleeker Mayor, Johannes Bleeker Recorder, Johannes Schuyler Aldm David Schuyler Aldn Johannes Abeel Aldn Johannes Roseboom Aldn, Johannes Cuyler Aldn Wessell ten Broek Aldn Hendr Hanse Jonathan Broadhurst Sherriffe, Johnes Baptist van Eps, Lawrence Claesse Interpreters.

(Signed) Rt Livingston, Secretary for the Indian affares.

The third days conference

Present—Coll: P. Schuyler of H. Mty Councill
Jan Janse Bleeker Mayor,
Johannes Bleeker Recorder,
Johs Schuyler,
David Schuyler,
Johs Abeel,
Johs Roseboom,
Johs Cuyler,
Wessell ten Broek Aldermen—
Captn Jas Weems,
Majr Direck Wessells,
Jonathan Broadhurst Sheriffe
Jan Baptist van Eps,
Lawrence Claese Interpretrs.

The Honble John Nanfan Esqr Lieut: Governour's reply to the answer given by the Five Nations in Albany the 18th July 1701.

Brethren. I am glad to see you soe sencible of your happiness in being under the protection of soe glorious and puissant a Monarch as our great King William is, whose wisdome and conduct is admired in Europe as well as here in America and though he reigns over many Kingdoms and dominions yett you see he has not been unmindfull of you soe that you may be assured of his kindness and that he will support you against all his and your Ennemies.

I am thankfull to you for your kind expressions and being soe well satisfyed of the King's choice of me to succeede the late Earle of Bellomont in the Govern^{t} of this province, and as you are satisfied of my sincere affection to you soe you may be also assured that I will make itt my utmost study to deserve His Maj^{tys} gracious favour by defending and supporting you while itt shall please the great King my master to continue me in the Govern^{t} neither shall I count itt any hardship to expose my person to the uttmost hazard and fatigue for the Brethrens safety.—

I have perused the journal of these two Gentlemen that were sent to your Country when the French agents were there I cannot approve of the late negociation some of your people have had att Canada with the Governour there, itt is a disparagement to the Five nations to goe to the French to complain when any of the farr Indians kill your people, you ought to defend yourselves like men and resist force with force and not to creep to those whome you know sett those very Indians upon you on purpose to extirpate your name and memory, and in order to support and defend yourselv's the King has sent you some choice arms and amunition, which shall be now given you.

I wonder that I have not heard of that design of the French's and that you are not more zealous to oppose itt (viz^{t}) their building a Forte at Tjughsaghrondie âls Wawyachtenok the principle pass where all your Beaver hunting is. You must not suffer it by any means. I am inform'd it is your Land and you have won itt with the sword at the cost of much blood, and will you lett the French take itt from you without one blow. You can never expect to hunt beaver any more in peace if you let them fortifie themselves att that principall pass, if you are minded to secure your posterity from slavery and bondage, hinder itt: Remember how they gott Cadarachqui and what a plague that place has been to you ever since.

Itt would seem by proposals I have lately heard were made att Canada that there has been some overtures of trade offer'd, which I can not believe being well assured that there is much better pennyworths here, they never being able to afford their goods soe cheap as wee, I fear its with design to delude you for which in time the brethren may become sufferers.—

I hope you have maturely considered the Gov^{r} of Canada's answer to Dekanissore how he puts you of with shams for your blood by him caused to be shed by the Farr Indians, and what frivolous pretences he makes of his agent not being return'd from Ottowawa, and that is all the redress you must expect from him, if you can not see his deceipt by all this you must be willfully blind.—

He tels you he will make a Forte att Tjughsaghrondie or Wawyachtenock to supply you with necessaries when you are a hunting, and to secure you from the Ottowawaes, but when the Forte is made then he will command you and your beavers too, Nay you shall never hunt a beaver there without his leave; doe you not remember how the French long ago desired but leave to make a hutt att Cadarachqui for a smith to be there to mend your arms, and when that was granted, they built such a stone Forte, that has since been a prison for your people trapan'd—

The Gover^{r} of Canada is soe much troubled att your happyness in our union and your firme adhering to the crown of England that he studies allwayes to make a breach of that harmony and to rend (if itt were possible) our covenant chain a pieces, and therefore would insinuate to you to sitt still if a warr should happen between us and the French, but wee hope you need not be told att this time of day how pernicious that would be for the brethren who are often to secure and careless, if the French (who are a subtile and vigilant enemy) should come unawares and cutt you off at once, its true itt is now peace but remember I tell you, you are

not to receive and directions from the French, how you are to behave yourselves in case a warr breaks out between us and the French, that you shall have from me.

There is a Covenant chain wherein all His Majesties Christian subjects on this main of America and the Brethren are included which I am now come to renew, according to the ancient custome, lett that be kept clean and bright on your parts as itt is and shall be on ours, and then you need not fear butt all will be well and you shall never want powder and arms to defend yourselves and good security for your wifes and children to retreat to upon occassions where they shall have provisions provided for them.—

I finde you have sent some of your Sachims to Canada whom its believed the Governour of Canada will practise upon to take Popish priests into your country and you seem to be jealous they will agree to itt because they fear the French; I doubt not but you have given directions to the contrary for I can not admitt of a popish priest in our territories itt is against our laws as well as your interest, and therefore let me not hear that any of your people have such thoughts, the King will take care to send protestant Ministers to instruct you in the true Christian Religion.—

The great King of England my master is soe much concern'd for your security that he hath been graciously pleased to give a considerable sum of money to be expended in building a stone Forte here and att Schenectady to defend you from the attempts of an Ennemy. The Forte hear will be made soe large to harbour all your wifes and children upon occassion where you may freely make your retreat and be supplied with provisions and other necessaries—I would have begun now if the Ingeneer was here and as soon as he returns from Boston I design to sett three or four hundred men at worke about itt and when these Forts are built I doubt not butt itt will be a means to induce those of the Five nations that are gone to live att Canada to return and settle again in their own Country.—

I am glad you have made peace with seaven nations of the Farr Indians, try to make peace with the rest as soon as you can, for that will much contribute to your future tranquility.

And now brethren let me conjure you to an inviolate fidelity and obedience to the King my master and to continue in a steadfast affection and friendship with your brethren and fellow subjects. You can not give the King a better testimony of your Loyalty to him than by rejecting all Popish priests, that may come into your country and hindering the French to build forts upon your land, upon these terms I doe take upon me to assure you of the Kings fatherly care and protection of you and in token of His Majtys grace and favour to you I have brought you a present which he has sent to give you vizt 150 gunns, 25 kettles, 16 dozen knives, 25 looking glasses, 3 ps red and 3 ps blew strouds 2 ps duffels 1 ps blankets, 40 kegs of Rum, 1000 barrs lead, 200 bags powder 15 Rolls Tobacco, 50 Hatchetts 50 shirts, 120 pair stockings, Gross pipes, 5 Vatts of bear 200 wheat loaves.

This was given besides private presents of gunns strouds Blankets shirts, powder lead ettc to each particular Sachim

(signed). Rt Livingston Secretary for the Indian affares.

PRESENT — Coll. P. Schuyler of His Majties councill.
Jan Janse Bleeker Mayor
Johs Schuyler, David Schuyler, Wessell ten Broek, Johs Abeel — Aldermen
Capt James Weemes
Majr Direck Wessells who also interpreted Sacquans Speaker.

Propositions made by the River Indians to Honble John Nanfan Esqr Lieutt Governr and Commander in chiefe of New Yorke and territories depending thereon in America and vice Admrll of the same — in Albany the 18th July 1701.

Father Corlaer.

Wee became like people in darkness soe soon as wee heard of the death of our father the late Earle of Bellomont our Govenour and soe continued till the sun shined again upon us by your coming and appearing to succeed him and to be our father, wee esteem ourselves happy that there is such a person pitch'd upon to be our father and Governour who wee hope will take care of us — Doe give two beavers.

Father. Itt is by Gods permission wee meet here together and wee are heartily glad to see you, and since itt is requisite you should know our strength wee have made an exact calculation and wee are now two hundred fighting men belonging to this County of Albany from Katskill to Skachkook and hope to increase in a year's time to three hundred. doe give a belt of Wampum.

Wee are not your friends and children outwardly with the mouth but in heart, wee will not call ourselves brethren, but wee are your children in fact, with our whole hearts not doubting but you will have a fatherly eye over us. doe give two Beavers.

You all that sitt here are our Brethren and the Govr is our Genll Father, wee must rely and depend upon him, and pursuant thereunto wee never have any news but what wee communicate to our Brethren the Sachims of Albany the Govrs Christian children, and when you have any news that relates to us, wee desire that you will not keep us in the darke but communicate the same. doe give two Beavers.

Father. Itt is now twenty six years agoe since our father the then Govr Planted a great tree under whose branches wee now shelter ourselves and hope that the shade thereof will always be refreshing and comfortable to us. doe give two Beavers

Wee have been soe happy and fortunate that our number is increased to that degree that wee can not all be shaded by one tree, and therefore desire that another Tree (: besides that tree at Shachkook) may be planted, for wee are in hopes that our number will dayly increase from other parts. doe give two Beavers.—

When wee first came here from New England wee were poor mager and lean, and by the shade of that tree att Shachkook wee have flourished and grown fatt, wee never deserted but kept our post. Our neighbours the Maquase have not been soe fortunate for their tree was burnt — meaning the burning of the Maquase Castles by the French. doe give one Beaver.

Itt is now ninety years agoe since the christians came first here, when there was a covenant chain made between them and the Mahikanders the first inhabitants of this River, and the chain has been kept inviolable ever since and wee have observ'd that neither Bears grease nor the fatt of dear or Elks are soe proper to keep that chain bright, the only forraign[1] remedy that wee have found by experience in all that time to keep the chain bright is Beavers grease. doe give two Beavers.

[1] Qu? sovraign. — Ed.

Wee told you just now that it is ninety years agoe since our covenant chain was first made and wee have been soe happy, never to have had the least flaw or crack in the chain, there has been breaches round about us and great differences but that chain wherein the Maquase and wee are link'd has been kept inviolable and wee pray that our Father will keep the same soe for ever. doe give two Beavers.

Pray Father what can be the reason of the great dearth of the goods, our brethren the christians tell us they come a great way over the great salt pond from England, but wee beseech you father consider the Beavers must be fetch'd a great ways also, therefore wee pray that the goods may be cheap. doe give two beavers.

Father. Wee pray that all publick business may be transacted and Treated in Albany in the Courte house the ancient place of treaty and by those that formerly have been accustomed to doe itt. Lett the news come from Onnagonque, Pennekook Mohogs country New Yorke or where itt will pray lett there be no alteration of that place, for business to be negociated in the woods, or in any private place by a single person as lately has been practicable in our late Father's time, is not soe agreeable. Lett itt be done by those that formerly were wont to manage the affairs of the Indians and soe wee conclude and doe give a Belt of Wampum, and seaven Bear skins and seaven Elks—

Signed, Johs Schuyler Aldn David Schuyler Aldn John Abeel Aldn Wessell ten Broek Aldn Jonathon Broadhurst Sheriffe

(signed). Rt Livingston Secretary for the Indian Affares

Present—As before in the morning:

The Honble John Nanfan Esqr Lieut: Govr's answer to the River Indians—in Albany the 18th July 1701.

Children

I am glad to see you here and that your number is soe much increased I wish itt was ten times more, for you may be assured that you shall have all fitting incouragement from me that you can reasonably expect, and you may depend upon itt that I will doe every thing to maintain the covenant chain firme and inviolable.

I shall be glad to hear that you prevaile upon your friends the Pennekooks and other Eastern Indians to come and settle among you, I doe erect another Tree att Shachkook which shall be soe large and flourishing that the branches will shade and cherish as many of your friends as will be perswaded to come and live peaceably in a fertile soyle and a pleasant country for you know now by the long experience of ninety years that wee have the best laws and Governt in the world and therefore God blesseth and increaseth the same accordingly—

I am glad to see Itappuwa the Sachim here again who I hear was once allmost deluded by the French its a signe he has great fortitude to resist all their temptations he will now be a fitt person to caution the rest of his Castle to be wary and carefull not to come under the like premunary.

Children—You doe well to communicate whatever news you have to the Gentn of Albany who allways will give me an account thereof and I will take care for the future that you shall not only have an account of all publick matters relating to the Indians but that no private conferences or correspondence shall be kept but publickly in Albany by those Gentlemen that are instructed with the management of the Indian affairs.

The great King of England my Master being made sencible of your steddy adherence to the Crown of England sufficiently demonstrated by your forward and frequent venturing your lives against the French in the late warr has been graciously pleased to command me to assure you of his Royall protection and favour and has sent you a present but if I had known you had been soe numerous, the present should have been more considerable. I will be mindful of that as you increase in number.

I shall conclude with a caution that you be carefull, none of your people be deluded by the French as many of the Five nations have been to the great diminution of their strength and vigour and endevour to live a sober life which will not only be a means to strengthen you but will invite others to come and live with you.

The King our great Master does by me make you a present equal with the rest of his subjects of each of the Five nations—viz^{t}: 30. Gunns. 5 kettles. 4 dozen knives. 5 looking glasses. 1 ps red 1 ps blew strouds 1 ps blanketts 8 keggs of Rum 200 Barrs lead, 40 Bags powder, 3. Rolls tobacco, 10. Hatchets, 10. shirts, 24. pair stockings gross of pipes 2 vatts beer 50 Loaves.

This is besides what presents was given to particular Sachims privately.

(signed) R^{t} Livingston Secretary
for the Indian Affares.

The fourth day's conference.

Present—Coll: P. Schuyler of His Ma^{ts} Councill
Jan Janse Bleeker Mayor,
Joh^{s} Bleeker Recorder
Joh^{s} Schuyler,
David Schuyler,
Joh^{s} Abeel,
Joh^{s} Cuyler,
Joh^{s} Roseboom,
Wessell ten Broek, Aldermen—
Major Direck Wessells,
Capt^{n} James Weemes,
Jonathon Broadhurst Sheriffe
John Baptist van Eps and
Lawrence Claese Interpreters.—

The Five nations, the Maquase, Oneydes, Onnondages, Cayouges and Sinnekes reply to the propositions made them yesterday by the Hon^{ble} John Nanfan Esq^{r} Lieu^{t} Govern^{r} ettc:—in Albany the 19th July 1701.

Brother Corlaer.

Wee condole the death of the late Earle of Bellomont our Govern^{r} and wipe of, your tears praying that you may be comforted and wee give you ten Beavers to be sent to the King to acquaint him that wee have condol'd the loss of our deceased Brother.

All wee Five nations are comforted and glad to see soe young a man to be our Brother Corlaer to succeed the late Gov^{r}, and as you are a souldier bred soe wee doubt not but you will be active if a warr should break out, and wee doe assure you of our reall intentions to cleave close to you and never to seperate our interest nor affections from you. doe give ten beavers—

Brother Corlaer—Wee complain of the French of Canada's incroaching upon our territories and that they goe and build Forts upon our land without our consent, Wee pray that the great King of England may be acquainted with itt, and that he will be pleased to take care to prevent itt—doe give ten Beavers—

Wee doe renew the covenant chain and make itt bright and clear which has been kept soe by our ancestors for many years, and wee fasten the covenant chain to the hills which lye round this city of Albany, for trees rott and decay but the hill will remaine unmoveable — We doe also bemoan the blood you lost last warr with French. doe give ten beavers.

Lett the covenant chain reach from New York to Sinnondowanne or the Sinnekes Country that all the people that live under itt may be secure from all attempts of an ennemy — Wee would remove the end of the chain to Tiochsaghrondie or wawyachtenok were itt in our power, but the French would mock at itt for they have taken itt in possession already against our wills sending people thither to make a Forte, but wee hope they will be removed speedily. doe give ten Beavers.

If the French make any attempts or come into our country to delude us, wee desire you to send men of wisdom and understanding to countermine them, for they to subtile and cunning for us and if you can convince them, that will be a means to stop their designs and soe prevent their ill intentions — doe give ten Beavers —

Wee desire that our Secretary Rob^{t} Livingston may be sent to Corachkoo the great King of England to acquaint how that the French of Canada incroach upon our territories by building a Forte att Tjughsaghrondie and to pray that our great King may use all means to prevent itt, else wee shall be tyed upp, wee shall not be able to live, they will come nearer us every day with their Forts; Wee doe give and render up all that land where the Beaver hunting is which wee won with the sword eighty years ago to Coraghkoo our great King and pray that he may be our protector and defender there and desire our secretary may write an instrument which wee will signe and seale, that itt may be carried by him to the King, wee fear if he does not goe, there is soe much business, this will be only read layd aside and forgott, but if he goes wee are sure, wee shall have an answer doe give ten Beavers —

Brother Corlaer. Pray lett goods be sold as cheap as formerly — The Govern^{r} of Canada draws many of our people by the means of selling better pennyworths then you doe, lett the Beavers come to their old price again, and lett the great custom upon them in England be taken of; wee doe give you ten Beavers to send to the King praying his Maj^{ty} to make a Beaver hat of them and then wee hope all his good subjects will follow his example and were Beaver hatts again as the fashion was formerly. —

Repeat the former proposition praying that orders may be taken that goods may be sold as cheap as heretofore, adding wee believe as you are Governour you have the command and that the traders must obey if you order itt, therefore let them begin to day to sell good pennyworths — doe give ten Beavers —

Brother Corlaer. If a warr should break out between us and the French, wee desire you to come and stay here in this place, that you may be ready to assist and defend us — you live a great way of att New Yorke, wee have a great esteem for you and therefore wish you would come nearer us to live if any accident should happen, for you are a Souldier and such men wee love therefore you must come and live here att Albany — doe give seaven Beavers.

Concerning French Priests to be admitted in our country itt is a generall conclusion of all the Five nations to expell them and to suffer none to come among us. Wee see you have ministers here and expect to be supplied from hence, wee are inclined to be instructed in the Christian faith and rely upon you, leaving that wholy to our Brother; The French priests have been the ruine of our Country and therefore have no cause to suffer them any more — doe give ten Beavers —

Brother Corlaer—The Governr of Canada has sent a party of men who are gone behind our Country privately to build a Forte att Tjughsaghrondie you are desirious to know what wee have done in that case, Your people that have been att Onnondage can tell you—Wee thought this Governt would have done something in the matter and to have found you busy in your books and mapps (meaning that the line should be run between the two Governts) wee can doe nothing in that case you know, wee have not power to resist such a Christian enemy, therefore wee must depend upon you Brother Corlaer to take this case in hand and acquaint the great King with itt for what will become of us att this rate where shall wee hunt a beaver if the French of Canada take possession of our beaver country—Give nine Beavers and two Otters.

Wee have a small right in the Maquase River att Canastagiowne, to witt five small Islands containing about five or six acres between Rosendael and Cornelis Tymes's which wee give to Jan Baptist van Eps and Lawrence Claese the two Interpreters to be equally divided between them, John Baptist to have the uppermost halfe and Lawrence the lowermost, and that in consideration, because they take much pains in interpreting—

Brother. Wee can not omitt to acquaint you of the deceit of the Smiths who takes our money and instead of putting steal into our hatches putts Iron, soe that as soon as wee come into our country to use them they fall to pieces and your traders are very ungratefull. as soon as they have gott our beaver turns us out of doors; lett us love one another and not suffer such things to be heard among us. doe give ten Beavers.

Wee Maquase have now two Castles that are begun to pray or turn Christians, wee desire that wee may have a good large Church made in the first or nearest castle called Ochniondage which was promised us by the late Earle of Bellomont and lett itt be soe large as may contain us all, there is only a little Chappell made of barke now a small number makes itt full.—

The traders have a bad custom to trust our people and when the men are dead come upon their widdows insomuch that when they come to town to buy anything the traders take the Beavers from them for debt—pray lett that ill custom be remedied—

After the Five nations had made an end of speaking his Honour the Lieutt Governour condoled the death of Sadaganahties son and Osneragichte of Onnondage and Sinnonnanduwan a Chiefe man of Cayouge by laying down three Belts of Wampum and was glad that there were good men put in there room—

Sign'd. P Schuyler J Johnson Bleeker Mayor Johs Bleeker Recorder, Johannes Schuyler Alderman, David Schuyler Aldn Johs Abeel Aldn Johs Roseboom Aldn Johs Cuyler Aldn Wessell ten Broek Aldn Jonathan Broadhurst Sheriff. Lawrence Claese and Jan Baptist van Eps interpreters—

(signed). Rt Livingston Secretary
for the Indian affares—

PRESENT—P. Schuyler of His Majty Councill.
Jan Janse Bleeker Mayor
Major Direck Wessells.

NAMES OF THE FIVE SACHIMS.

Sadeganaktie—Sachim of Onnondage Speaker.
Canadagariesk of Oneydes
Sadgeowanne of Cayouges.
Tohowaregenni } Sinnekes.
Sonessewanne }
Helletie van Olinda
Interpretess—

Albany the 21st of July 1701.—Five of the principal Sachims of the Five nations went up to the Forte to speak with His Honour the Lieut Governour, who being admitted into his chamber spoke to him by Sadeganaktie their Speaker as follows:—

Brother Corlaer. Att such publick conferences as wee now have had itt is very probable that some things may slip out of your memory and be forgott itt being difficult to remember every thing. When the late Earle of Bellomont came here with the news of the peace wee were told that all prisoners on both sides should be sett att liberty and wee understood that each nation should enjoy there own people again and in order thereunto, wee heard that both Kings as soon as the peace was concluded made what haste they could to send the news thereof to America, wee always expected that the fruits of that General peace would be that wee might have people back again from Canada, but wee have not been soe happy. The Priests and the Governour of Canada detein them there upon pretence to make them Christians—therefore Brother pray see to gett our people here to this town and when they are gott soe farr the Ministers here will instruct them in the Christian Religion which will be a means that they will at last return to their own country again; When Queder (that is Coll. Schuyler) went to Canada, then wee were in hopes to have them all back but the French detains most of them still. Wee believe our great King does not know, and is not rightly inform'd of this matter if he was wee doubt not but wee should have a better account of itt, if you had told us that you dispair'd of any success wee would have prest harder to get them over to us again—

Brother Corlaer. What shall wee doe if the French continue to draw away our people and incroach upon our Country, they build forts around about us and penn us up. Itt is now peace wee can not hinder them, neither itt is in our power to resist them, they have drain'd us of our people, they all goe to Canada and that upon pretence of Religion and to be converted, wee see itt is only to enslave us, wee know very well how they did att Cadarachqui and see they come nearer and nearer. They are going about to make a Forte att Keenthee on the other side of Cadarachqui lake, another principle passage which our Indians, can not shun when they come from their hunting—Wee hear that one of our Indians called Orojadicka that has been two years among the French in Canada and is there still has given consent to build this Forte, but wee Five nations know nothing of itt, neither will wee give leave, for by such means the French possesses themselves of our territories; therefore pray Brother hearken to us as wee told you in our publick propositions too days agoe, soe wee are again come to intreat you to send over our secretary Robt Livingston with all speed to acquaint Corachkoa the great King of England how the French deale with us, he has been there formerly and knows all affairs, pray lett there be a good large canoe (such as the English sayle with over the great salt waters) provided for him, that sayls well that wee may have an answer with all expedition, doe not defer itt till the fall or to the Winter till itt snows or till spring but lett him be sent forthwith and then wee are in hopes wee shall have a good issue of our business.

The said Five Sachims were ask'd whether that letters writt by their Secretary and sent by their brother Corlaer the Lieut[t] Governour to the King would not be sufficient and doe as well — They reply'd: what a Question is this, did not wee tell you in our publick propositions on Saturday last that it was concluded by all the Five nations that our Secretary Rob[t] Livingston should goe to the King, and did not wee then tell you his business; And wee are now come again on purpose to insist that he may be dispatch'd to England in a good large Canoe that has good sayls to acquaint Corachkoo (meaning the great King) of our condition and what wee have done and how the French dayly incroach upon us, and decoy our people away from us, and wee pray you to send us word when he is gone and when he returns for wee expect him again in the spring. doe give ten Beavers—

The Lieut: Gov[r] told them he would consider of this their proposition and would doe any thing that was proper for him to doe for their ease, satisfaction and future tranquility.—

Sign'd. P[r] Schuyler— J. John[s] Bleeker Mayor
(signed). R[t] Livingston Secretary
for the Indian affares—

Deed from the Five Nations to the King of their Beaver Hunting Ground.

[New-York Papers. Bundle, P. Q.; Q 49.]

To all Christian & Indian people in this parte of the world and in Europe over the great salt waters, to whom the presents shall come — Wee the Sachims Chief men, Capt[es] and representatives of the Five nations or Cantons of Indians called the Maquase Oneydes Onnandages and Sinnekes living in the Government of New Yorke in America, to the north west of Albany on this side the Lake Cadarachqui sendeth greeting — Bee it known unto you that our ancestors to our certain knowledge have had, time out of mind a fierce and bloody warr with seaven nations of Indians called the Aragaritkas[1] whose Chief cómand was called successively Chohahise — The land is scituate lyeing and being northwest and by west from Albany beginning on the south west[2] side of Cadarachqui lake and includes all that waste Tract of Land lyeing between the great lake off Ottowawa[3] and the lake called by the natives Sahiquage and by the Christians the lake of Swege[4] and runns till it butts upon the Twichtwichs and is bounded on the right hand by a place called Quadoge[5] conteigning in length about eight hundred miles and in bredth four hundred miles including the country where the bevers the deers, Elks and such beasts keep and the place called Tieugsachrondio, alias Fort de Tret or wawyachtenok and so runs round the lake of swege till you come to place called Oniadarondaquat which is about twenty miles from the Sinnekes Castles which said seaven nations our predecessors did four score years agoe totally conquer and subdue and drove them out of that country and had peaceable and quiet possession of the same to hunt beavers (which was the motive caused us to war for the same) for three score years it being the only chief place for hunting in this parte of the world that ever wee heard of and after that wee had been sixty years sole masters and owners of the said land enjoying peaceable hunting without any internegotion, a remnant of one of the seaven nations called Tionondade whom

[1] Hurons. [2] *North* west. See next page. [3] Lake Huron. [4] Lake Erie.

[5] At the head of Lake Michigan. *Mitchell's Map of North America*, 1755. Now, Chicago, according to *Map of the British Dominions in North America*, 1763, prefixed to *Charlevoix's Voyages*, 8vo., Dublin, 1766. — Ed.

wee had expelled and drove away came and settled there twenty years agoe disturbed our beaver hunting against which nation wee have warred ever since and would have subdued them long ere now had not they been assisted and succoured by the French of Canada, and whereas the Governour of Canada aforesaid hath lately sent a considerable force to a place called Tjeughsaghronde the principall passe that commands said land to build a Forte there without our leave and consent, by which means they will possess themselves of that excellent country where there is not only a very good soile but great plenty of all maner of wild beasts in such quantities that there is no maner of trouble in killing of them and also will be sole masters of the Boar[1] hunting whereby wee shall be deprived of our livelyhood and subsistance and brought to perpetual bondage and slavery, and wee having subjected ourselves and lands on this side of Cadarachqui lake wholy to the Crown of England wee the said Sachims chief men Capt^ns^ and representatives of the Five nations after mature deliberation out of a deep sence of the many Royall favours extended to us by the present great Monarch of England King William the third, and in consideration also that wee have lived peaceably and quietly with the people of albany our fellow subjects above eighty years when wee first made a firm league and covenant chain with these Christians that first came to settle Albany on this river which covenant chain hath been yearly renewed and kept bright and clear by all the Governours successively and many neighbouring Governm^ts^ of English and nations of Indians have since upon their request been admitted into the same. Wee say upon these and many other good motives us hereunto moveing have freely and voluntary surrendered delivered up and for ever quit claimed, and by these presents doe for us our heires and successors absolutely surrender, deliver up and for ever quit claime unto our great Lord and Master the King of England called by us Corachkoo and by the Christians William the third and to his heires and successors Kings and Queens of England for ever all the right title and interest and all the claime and demand whatsoever which wee the said five nations of Indians called the Maquase, Oneydes, Onnondages, Cayouges and Sinnekes now have or which wee ever had or that our heirs or successors at any time hereafter may or ought to have of in or to all that vast Tract of land or Colony called Canagariarchio beginning on the northwest side of Cadarachqui lake and includes all that vast tract of land lyeing between the great lake of Ottawawa and the lake called by the natives Cahiquage and by the Christians the lake of Swege and runns till it butts upon the Twichtwichs and is bounded on the westward by the Twichtwichs by a place called Quadoge conteining in length about eight hundred miles and in breath four hundred miles including the Country where Beavers and all sorts of wild game keeps and the place called Tjeughsaghrondie alias Fort de tret or Wawyachtenock and so runns round the lake of Swege till you come to a place called Oniadarundaquat which is about twenty miles from the Sinnekes castles including likewise the great falls oakinagaro, all which [was] formerly posest by seaven nations of Indians called the Aragaritka whom by a fair warr wee subdued and drove from thence four score years agoe bringing many of them captives to our country and soe became to be the true owners of the same by conquest which said land is scituate lyeing and being as is above expressed with the whole soyle the lakes the rivers and all things pertaining to the said tract of land or colony with power to erect Forts and castles there, soe that wee the said Five nations nor our heires nor any other person or persons for us by any ways or meanes hereafter have claime challenge and demand of in or to the premises or any parte thereof alwayes provided and it is hereby expected that wee are to have free hunting for us and the heires and descendants from us the Five nations for ever and that free of all

[1] *Sic.* qu? Beaver. — Ed.

disturbances expecting to be protected therein by the Crown of England but from all the action right title interest and demand of in or to the premises or every of them shall and will be uterly excluded and debarred for ever by these presents and wee the said Sachims of the Five Nations of Indians called the Maquase, Oneydes, Onnandages, Cayouges and Sinnekes and our heires the said tract of land or Colony, lakes and rivers and premises and every part and parcell thereof with their and every of their appurtenances unto our souveraigne Lord the King William the third & his heires and successors Kings of England to his and their proper use and uses against us our heires and all and every other person lawfully claiming by from or under us the said Five nations shall and will warrant and for ever defend by these presents— In Witness whereof wee the Sachims of the Five nations above mentioned in behalf of ourselves and the Five nations have signed and sealed this present Instrument and delivered the same as an Act and deed to the Hon^{ble} John Nanfan Esq^{r} Lieut^{t} Gov^{r} to our Great King in this province whom wee call Corlaer in the presence of all the Magistrates officers and other inhabitants of Albany praying our Brother Corlaer to send it over to Carachkoo our dread souveraigne Lord and that he would be graciously pleased to accept of the same Actum in Albany in the middle of the high street this nineteenth day of July in the thirteenth year of His Maj$^{ty's}$ reign Annoque Domini 1701.

SINNEKES SACHIMS

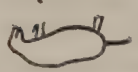
Tehonwaren genie (L. S).

Sonahso wanne (L S).

Tosoquat hoa (L S).

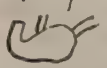
MAQUASE SACHIMS

Tsina go (L S.

Onucher  anorum (L S).

Teoni ahigarawe alias Hendrik (L S).

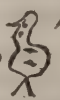
Tirogaren alias Cornelis (L S).

Sinon  quireso (L S).

Tanoch rachhoss (L S).

CAYOUGES SACHIMS

Sodsio wanne (L S.).

Thodsino  jago—(L S).

Nijuch sagentisquoa (L S.).

ONNANDAGE SACHIMS

Tegach nawadiqua (L S.)

Kach wadochon (L S).

Taga tsehede (L S).

Sade ganasttie (L S)

Ach rireho (L S).

ONEYDE SACHIMS

Dega ronda (L S).

Canada gariaz (L S).

Tio rachkoe (L S).

Sealed and delivered in the presence of us
P^r Schuyler
J Jansen Bleeker Mayor
Joh^s Bleeker Recorder
John Abeel Alderman
Johannes Schuyler Alder^n
David Schuyler Alderm^n
Wessells ten Broek Alderman
Johannes Roseboom Alderman
Johannes Cuyler Alderman
Dyrk Wessels justice
James Weemes
Jonathan Broadhurst high Sheriff
M. Clarkson Secretary
S Clows Surveyor
R^t Livingston Secretary for the Indian affares
John Baptist van Eps } Interp^trs
Lawrence Claese }

this is a true Copy
(Signed). JOHN NANFAN

Lieutenant-Governor Nanfan to the Lords of Trade.

[New-York Entries, E. 56.]

To the R^t Hon^ble the Lords Commissioners for Trade and Plantations.

My Lords,

Some time before my expedition to Albany M^r Livingston his Majestys Secretary for the Indian affairs did apply himself to me for leave to go to England in order to lay his case before his Majesty in Council, and your Lordships concerning his demands upon the Crown for salary and other Publick Services but finding I should have occasion for his assistance in the late Treaties with the Indians at Albany, I therefore detained him and look upon my self obliged in justice to certify to your Lords^ps that he hath been a very great help to me in all this Negotiation for which I am humbly of opinion that he very well deserves the salary allowed him by his Majesty in his Commission for his Incouragement there being no person in the Town or Country of Albany so capable and well qualifyed as he is, and because his voyage to England cannot be performed without great expence of time lest his Majesty's Service in the Indian affaires might suffer in his absence, I do therefore at his request presume to begg that your Lordships will be pleased to lay his case before his Majesty so that his Majesty's pleasure may be signifyed to this Government upon the report which the late Earle of Bellomont formerly made and sent home in his favour in obedience to his Majestys instructions of the 31^st of Aug^st 1697 for want of which the Collector and Receiver General of this Province is by a Minute of Council here commanded not to make payment of any such Warrants as are granted him for that Salary untill his Majestys pleasure be known therein. By reason of the delay of which he has been and still is wholly deprived of any part of that Salary allowed him by his Majesty's said Commission for his Services to his great discouragement and the hurt and prejudice of his private affaires; I thought fit only at present to trouble your Lordships with this particular matter, because I have been an Eye-Witness to his good services to his Majesty in that imployment which is nevertheless most humbly submitted to your Lordships great prudence and wisdome by,

My Lords
Your Lordships
Most faithfull and most
Obedient Servant
JOHN NANFAN

New York
Aug^st 21. 1701.

Mr. Robert Livingston to the Lords of Trade.

[New-York Entries, E. 58.]

To the R^t^ Hon^ble^ the Lords Commissioners for Trade and Plantations

May it please your Lordships

Having presumed in my letter of the 21^st^ of June 1701 (which I hope is come safe to hand) to acquaint your Lordships of the hardships I have laboured under and the reason of my deteinure from waiting upon your Lordships personally with my Complaint I begg leave to add that the success that Negotiation had with the Indians (I hope) will be found of so great Moment that I am glad to have been any ways instrumental therein; The Lieutenant Governour being a Witness thereof is pleased to certify my Services and to desire your Lordships to represent it so to his Majesty that his Maj^tys^ opinion may be remitted upon the late Lord Bellomonts report in favour of my case, the want of which is now the Cause that I have not had any benefit of his Majestys Cômission

I am likewise kept from receiving that Interest ordered by his Majesty and from the money due for the victualling. I humbly beg your Lordships will be pleased to hear the complaints my Agent will lay before your Lordships and to represent my Case to his most Sacred Majesty that his Majesty may grant me releif, where it shall appear to his Majesty and your Lordships I justly deserve it.

I hope your Lordships will pardon my boldness and importunity since I am kept back from Solliciting my private affaires to attend his Majesty's Service, which always have and shall intend with integrity, diligence and hearty affection, I am in all humble duty

May it please your Lordships

Your Lordships most obedient
and most humble Servant.
Rob^t^ Livingston

New Yorke
22 Aug^st^ 1701.

Lord Cornbury to the Lords of Trade.

[New-York Entries, D. 407.]

To the Lords Commissioners for Trade and Plantations

The humble Memorial of Edward Lord Cornbury

Sheweth

That having perused his Commission for the government of New York, he finds that the command of the Militia in the Jerseys and the Province of Connecticut is placed in him; but he humbly conceives that he shall not be able to serve the King so usefully as he desires to doe in that matter, unless he may have a power (by commission) to nominate the Officers of the Militia in the said Provinces of East and West New Jersey and Connecticut, which he imagines may the more easily be granted, because the Militia in all the parts belonging to the

British dominions, is by Act of Parliament lodged in the King; and without such a power he presumes his command over the said Militias will be but precarious.

He likewise informs your Lordships that he has received an order from Their Excellencies the Lords Justices of England bearing date the 31st of July last, for the raising such recruits as are necessary for the filling up the four Companys at New Yorke (which have suffered very much by desertion since the late Earl of Bellomont's decease) he has endeavour'd ever since that time to raise the said number of men, but hitherto without success, for want of levy money; not but the men are to be found if there were any encouragement given. He therefore hopes your Lordships will please to consider how much more difficult it is to raise men to goe to so remote a part of the world, than for Ireland or Holland, and that your Lordships will please to represent the necessity of the said service to Their Excellencies the Lords Justices of England and the Lords of the Treasury in such a manner that he may effectually be enabled to perform the said service, either by an allowance of levy money, or by such other ways and means as may be thought most proper.

He farther takes the liberty to acquaint your Lordships that he hopes to be ready to saile in a few days, and therefore intreats Your Lordships that he may have such allowance of tunnage as is usual, for the transporting his servants and goods to New Yorke. All which is humbly submitted to your Lordships consideration by, My Lords,

September the 2d 1701.— Your Lordships most faithfull humble servant.

CORNBURY.

Attorney-General Broughton to the Lords of Trade.

[New-York Entries, D. 421.]

To the Right Honble the Lords Commissioners for Trade & Plantations.

My Lords.

I am ashamed and humbly begg your Honours pardon that I should not keep equal pace with the Cheif Justice here, in my return of duty to you. I did design a joynt address of thanks with him to your whole Board for your joynt favours unto us in our dispatch for this place, but was not happy in the opportunity thereof. However my Lords I hope my just acknowledgements, which I now pay, will be accepted by you, thô they come late and alone, since I assure your Honours they are most hearty and sincere, and proceed from so full a sense of duty and obligation to you as will for ever tye me to the most punctual observance of all your directions and commands, which you shall at any time think fit to honour me with. And I humbly desire your Honours I may always be happy in the favour and continuance of your Board to support me for those performances.

We set saile from Gravesend 26th of April last and were till the 24th of July after, before we landed here. Our reception was in all things suitable to the commissions we brought with us but the heat of the season and that increased by the frequent and unavoidable entertainments we have received, hath something indisposed me since my arrival, and so prevented my free

converse abroad, that I cannot give your Honours so particular an account of affaires in this place as else I should. The General Assembly is now sitting, and I hear they have resolved to take care of the revenue of this Province, in continuing a branch thereof which was either gon or like to fall off. The Governour and Council have made an order for erecting a Court of Chancery here, which I doubt not will be of great use and benefit to this Province. 'Tis designed to be opened on Thursday next. I am sure I need not to acquaint your Honours that I finde two very opposite parties amongst this people, all equally the King's subjects, yet want to be distinguished for nation sake. And I cannot discern a more material ground of their difference than that; thô many allegations are on both sides. At what pitch it stood in my Lord Bellomonts life time, I know not, but am well informed that it is much heightened since his death. The expectations of both parties are at present upon whom his Majesty will think fit to confer the care of this government, by whose prudent and wise conduct the present evills amongst us may in all probability be much lessened, if not wholly removed. We hear, by the way of Philadelphia that my Lord Cornbury is appointed for that service; but waite the confirmation thereof. I was by your Lordships favours sent hither to promote His Majesty's interest and the good of his government here, which your Honours may be assured shall ever be preferred by me before my own private gaine and advantage. I hope therefore my zeale in that matter may excuse my presumption, if I take upon me humbly to propose to your Lordships that you would be pleased so far to interest your selves in the concern of a new Governour as to procure special instructions from His Majesty to him to use temper and moderation at his first coming to us, and to treate each party with like favour and respect. By which means, after he hath run some course in such a management he will be able clearly to discerne who are the true friends of his Majesty and his government here; and then it will not be difficult to determine how to steare himself for the future. We hear likewise by the same way, that the Jerseys are annexed to this government and Massachusets Bay taken from it. I hope whatever His Majesty's pleasure is in that case, your Honours will take care of us, that our Commissions be not lessened thereby. Mr Graham the late Attorney General's son, who is Surveyor General of this Province is gone for England. If he return not again or resigns his place of Surveyor General, I should be proud of your Lordships favours towards my eldest son here with me, for a patent for it, and to extend to the Jerseys. But I desire not to supplant any man, but if the way be open to it, hope you will be pleased to remember and preferr my humble request to your Honours, before anothers. And if this cannot be, I should be very glad of his Majesty's direction hither, that I might be admitted to dwell in one of Kidd's houses in this City, which are now forfeited to his Majesty. I have eight in family and know not yett where to fix them, houses are so scarce and dear, and lodgings worse in this place. I should not have troubled your Honours with these particulars, but to shew you I will not conceale my most private designes from you; and I hope for your concurrent favours to me therein, which with my most humble duty to your Honours is all I have to add at this time, but to assure your Lordships that I am in great sincerity, Your Honours

Most faithfull humble and
most obedient Servant
Sa: Sh: Broughton.

New York in
America the
3d Septr 1701

Lieutenant-Governor Nanfan to the Lords of Trade.

[New-York Entries, E. 1.]

To the Right Honorable the Lords Commissioners for Trade & Plantations.

My Lords

This Sloop in her way for Holland touching at Cowes makes me not omit paying my Duty to your Lordships, altho: at present I have not much to offer.

I wrote your Lordships the 20: Augst by Coll: Lodwick in the Palme-Tree, & inclosed the Journal of Our Indian Agents, an Instrument of the Land I had industriously procured from the Indians to his Majesty, with a Draught of the same, with the Situation of our five Nations, & my whole Negotiation with the Indians, which I doubt not but will prove very beneficial to his Majestys Interest, & I have great hopes will be very satisfactory to your Lordships; Our Indians are in perfect Union with us & Question not in the least to continue them so, so long as his Majesty shall please to honour me with being imployed in this Station.

Our Assembly are yet sitting, but the next week I beleive I shall prorogue them, there has been some jangling between the two parties, but for myself I neither directly nor indirectly engaged myself with either, I shall so soon as the Journal of the House is printed transmit it to your Lordships, & then your Lordships will be best able to judge which of them have been in the wrong, I have gained my point for his Majesty's Service an additional duty for two years in order to defray the Charge of the Government, when its brought up I shall not be long a dispatching it, & for what other Bills I shall pass shall be purely for the welfare and peace of this Province.

I saw an odd passage in a letter from Boston of the 15th Inst: from one David Jefferis to Coll D'Peyster of his Ma$^{ty's}$ Council here, which transcribe word for word Viz^{t}

"The 13th: in the Evening arrived here a Brigantine one Kelly Master 9 weeks from London, Six from Dartmouth, by which M^{r} Parsons to whom I sold your Bill of Exchange, has Advice that it will be sent back protested by the next ship, his friend writes him Vizt: that M^{r} Champante will not accept it, there being a New Governor vizt: My Lord Cornbury made for New York, & no Agent as yet fixed, so the Bill will not be paid."

This my Lords (if truth) will be of the most fatal consequence to his Majesty's Service that can be, for should that Bill come protested we shall never have any more Credit for moneys on our Bills, and the soldiers who have these twelve months been paid with ready money weekly their full Pay, will never be satisfied with any other way of Payment, (I mean by victualling, nor do I know any that will undertake that) but will infallibly desert or prove very irregular; Besides all Bills hitherto drawn or that I may yet draw for their subsistance, should they be protested, my own fortune will be obliged to make them good, which will be my utter ruin, therefore I most recomend this weighty matter to your Lordships great wisdom, not doubting but your Lordships has found some expedient for the rectifying all mistakes hitherto, and for preventing all may happen for the future.

I have taken what care I can to provide materials for the two forts of Albany & Schenectedah, by directing every Sloop goes upon the River, to carry stones, and have sent up an Engin to slack lime, but shall be able to do little this Winter for want of Coll: Romer, whom as yet I have not been able to procure from Boston, I am of opinion he fears being sent to Onondage, tho: would he come this or the beginning of the next month, I should not think it a fateague

myself to go thither with him, that I might be able to give your Lordships a more particular account of that matter than I am now able to do.

I have directed Albany and Schenectadah to be repaired with Stoccadoes, and put into as good a posture of defence as we can, to prevent any accident that may happen this winter. By a good ship will sail hence in 5 or 6 days for London I will send your Lordships Duplicates of my last Packett, with what else may be necessary for your information.

I am
With great regard
My Lords
Your Lords^{ps} most
Faithfull & most Obed^{t} Serv^{t}
JOHN NANFAN.

New York
24 Sept^{r} 1701

Lieutenant-Governor Nanfan to the Lords of Trade.

[New-York Entries, E. 5.]

To the Right Honourable the Lords Commissioners for Trade and Plantations.

My Lords,

My last to your Lordships was of the 24 September last by a sloop bound hence to Cowes in her way for Holland, the most material matter contained therein was (as by a Passage transcribed out of a letter from Boston) We feared the return of our Bills protested, drawn for the Soldiers subsistence since the death of the late Earl of Bellomont which would be the intire destruction of our Credit here, consequently of the Forces, but I do not in the least question your Lordships long since have found an expedient for securing us from any such danger could we beget a Union between our partys, who I fear are irreconcileable, unless wrought by miracle, we should be extreamly happy, tho I intrest myself with neither but am as impartial as man can be; Our Indians are in admirable temper and very firm in their obedience, to his Majesty's & Freindship to us as your Lordships will see on perusal of a late Journal from our Agents sent to Onondage now inclosed.

Côll Romer is a most unaccountable man, I have not been able to get him hither as yet from Boston, I shall not now trouble your Lordships with the Copies of our letters past between us but will by some other opportunity when your Lordships may be more at leisure.

I hope our Assembly will be up next week I expect our money bill for an additional Duty for two years to his Majesty to be brought me every day.

I am providing Materials for our New Forts of Albany and Schenectedah, and puting our old into some Posture of defence this Winter, the French are still pressing a neutrality in our Indians, but I will never hear of any such thing, beleiving it to be directly contrary to his Majesty's Interest.

The incloseds are Duplicates of my letter to your Lordships of the 20th Augst of our Agents Journal at Onondage with my negotiation with our Five Nations at Albany and a Copy of the Indian Deed to his Majesty (which the very last night was so defaced the Surveyor General

who drew the Draught of our Indian Country including that land given and sent your Lordships in my last Packet by Coll: Lodwick in the Palm Tree his original hath met with the same accident so that I cannot send your Lordships a copy of that by this conveyance) two proclamations with my speech to this Assembly all by Coll Lodwick. And now by Capt. Cumby I transmit your Lordships the Minutes of Council for April, May and June with a late Journal to Onondage from our Agents sent thither and an attested Copy of the Grants mentioned in the Act for vacating extravagant Grants which your Lordships desired might be sent you.

I shall take all imaginable care of his Majesty's interest and give your Lordships by all opportunities a faithfull account of what may be worthy your knowledge

I am
With great regard
My Lords
Your Lordships most
faithfull & most obed^{t} Serv^{t}
JOHN NANFAN

New York
2 October 1701.

Report of Messrs. Bleeker and Schuyler's Visit to Onondaga.

[New-York Papers, R. S. T.; R. 12.]

JOURNALL of Capt^{n} John Bleeker and M^{r} David Schuylers Journay to Onnondage (the centre of the five Nations westward of Albany in the Province of New Yorke in America)

the 27th of August 1701.

Having received Instructions from the Governor and Council to go to Onnondage to hinder the French debauching of our Indians, went away the 28th in the morning for onnondage and arrived there the 4th of September and found the Sachims mett together who bid us welcome and resolv^{d} to send a post away next morning to the Sinnekes and Cayouges that their Sachims should come down as also the French who had desired of the Onnondagues that all the Sachims of the five nations might be convened together against they came from the Sinnekes, The Onnondagues sent word that not only the Oneydes were now come. But also their brother Corlaer to their great Joy who would now hear all what passed in their Country

The Sachims were very desirous to know whether Corlaer would come and see them in their Castles in Person this fall and that because Dekannisore one of their Sachims had told them so, upon w^{ch} we answered that we had heard the same of other people, but not from himself but if he comes he will undoubtedly send some one to give you an account of his coming, Dekannisore reply'd that he had told the Sachins the same

The 5th September 1701 We were informed by some Sinnekes that the French had a great deal of Goods with them to trade upon w^{ch} we had a Conference with some of the Sachims and told their brethren

We understand the French are come here to trade do you send for us to come with such people, if you send for us for every Frenchman that comes to trade with you, wee shall have work enough and if you will hearken to them they will keep you in alarm Continually we

know this is the contrivance of the Priests to plague you Continually upon pretence of Peace and talk you till you are mad, and as soon as these are gott home, the Jesuits have another project if you will break your Cranes with such things; we advise you brethren when the French comes again, lett them smoak their pipe and give them their bellyfull of Victualls and let them goe

You have made peace with them although that was needless, for our King had made Peace for you and all his subjects in His Dominions whereupon De Kannisore said

That wee were misinformed, the Goods which the French have brought with them is for those familys that have the prisonners that they are now Come for, who are still among us, & the reason why wee have sent for you, is to write all down what the Governor of Canada hath told us, since wee will consent nothing Els you might think, & ask us what news wee had got under hand, it is also concluded in our last Conference that the French should know what our brother Corlaer has told us at Albany

Wee find here likewise a French Indian who is married to a French Woman in Canada whom wee think keeps her as a spy wee asked him when he went to Canada, he tells us this is the place of his Nativity & was resolved to stay here

The 6th do The Councill being mett they acquainted us that the messenger was returned from the Cayouges and said that the Cayouges had sent a messenger Immediately to the Sinnekes to tell the french to come forthwith if they had anything to say, and that their brother Corlaer was in Onnondague to know their business

It was proclaimed in this Castle according to their Custome that Canniaghkennie Captn of Oneyde was come home who has been a fighting against a nation of Indians called Ondadeonwas and has brought one prisoner and in his returned discoursed some Indians who live behind Carolina & Maryland who told him that all was in Peace & quiettness and that there should be no differences between them as there had been formerly

The 7th & 8th do expected the French.

The 9th do Wee understood by some of the Sachims that the Govornor of Canada had again desired that each nation should send one of their Sachims with the agents to Canada wch wee opposed and said Brethren I have told you that he endeavours to bring us into confusion with all his devices, therefore hearken not to him, Goe out a hunting that will be better for you and give your brother no cause to be jealous of you with all your Running to Canada, wee desire you brethren to be obedient and hearken not to him who calls for you it is his cunning to bring you & us into confusion wch will be impossible for him to doe if you will but hearken upon which they promised that they would not goe

The 10th do waited still for ye French

The 11th do The French arrived in the Evenge and wee understood by some of the Sachims that they have been with the Sinnekes for their prisoners wch the Sinnekes have of the farr nations called the Twichwiches but have got none the Sinnekes told them that they did not bring the Prisoners by the way of Canada but by the way of Tjughsaghrondie and will bring them hither again themselves

The 12th Do The French were obliged to repeat before us all the propositions wch the Govr of Canada had made to the five nations in Canada which is as follows

Chilldren

Last year wee cast the hatchett to the Devill, but then you were nott all present, but now I throw it the second time while you are al present & none shall find it again for it is now

Peace over all the world & you Waganhaes and you five Nations shall now live in Peace together & I tell you both further that you shall not kill one another at your hunting but you shall shun one another like Brethren and having said this gave each nation a Belt w^{ch} were 24 in number

2 I tell you again as I told Dekanissore before that I make a Fort at Tjughsagronde, the reason why I make a Fort there is least you and the Ottowawes sh^{d} fall out again where your principal hunting is therefore I have put a Capt^{n} there to prevent all differences if any should arise.

3 I demand all my prisoners that are among you both Indians and Christians

4 Now Children it is now Peace all over the world, Probably wee or the English will be the cause of a warr and if it so happens that there be a warr you are by no means to intermeddle, Lett us and the English fight alone — Come freely and fetch of mee as you do of your brother Corlaer Powder and Lead, and do not love the one better than the other

5 Now I desire that the Maqaise may come here for I know not whether they have a grudge against [me] therefore I desire that they may come face to face to see what they have to alleadge against mee

The 5 Nations Spoke

Father onnondie, here wee have four Prisoners which wee toke here in the time of Warr whom we now deliver unto you and gave each Prisoner a Belt a Wampum & said no more, but when wee come home wee will consult about what you have now spoke this being done Dekanisore told the French wee would tell you the Proposalls of our Brother Corlaer but I am informed you know them already

The French said that which wee have said to you is very good if there was any thing in this paper that was nought I would throw it in the Fire or I would conceal it upon which Dekanisore answered and said I have not heard the French speak one word of your chickens. You onnondie that sit under,[1] I mean your praying Indians, if it happens that you fight with my brother & then your Chickens runn from under your wings, with the Hatchett in your hands to our Brother Corlaer with whom wee are in so firm a League or Covenant then it would not be well upon which the French Said wee have told you now these three times wee mean all Indians.

The French said further Brother our time is elaps'd wee must begone but brethren I must tell you last of all but you must not be offended at it, & that is this when you are in Canada you promise a great deale but when you come home nobody knows any thing of the matter I have been in the Sinnekes Countrey and in Cayouge for our Prisoners but they seem as if they knew nothing of the matter, & you onnondagues are the same, but Brethren if you come to Canada again and the Governor desires any thing of you, if you will not do it tell it him to his face & so Monsieur Jonkeur went his wayes.

The 13th do. All the five nations satt and considered of a Belt of Wampum w^{ch} the late Earle of Bellemont had given them that they should take ministers into their Castles and upon a Belt of Mon. Marrikeur left three last fall that they should take Jesuits into their Country.

[1] *Sic.* Qu? Your chickens that sit under you Onnondio; I mean, &c. — Ed.

Wee two nations do say
Brother Corlaer

Here have been two belts hung up here this summer one from you and one from the Governor of Canada, and you speak both of praying, wee are now come to a conclusion & wee doe tell you wee will have no Jesuit in our Country Now Brother Corlaer you tell us you have ministers for us, and now you say wee are like to have none for the present but as soon as wee have occasion for any wee shall ask them of your brother Corlaer, the cause why wee ask for none now is because you both have made us drunk withall your noise of praying wee must first come to our selves again

Now brother Corlaer I tell you further we have had a conference lately together & you told us that it was peace over all and wee hold fast to that Covenant Chaine as if wee were Christians.
Brother Corlaer

You or the French will be the cause if there be a Warr, and if it should be a Warr again I do tell you again that wee will keep our Covenant with you our brother Corlaer as if wee were Christians with whom wee have an inviolable Covenant Chaine. And brother Corlaer I doe now tell you, that w^{ch} I have told you I will also tell him & that wee will have noe Jesuit in our Countrey.

The 14th Do. The Onnondages called us to them in private & said brethren wee have concluded among ourselves to Desire the Sinnekes to come and live together in one Castle & also that the Maquaise do live together at Kannaogau, it is further the request of all the Sachims to you brother Corlaer that you would send them all the News that comes from England and what happens in your own province, for wee are Brethren and do open unto you our whole hearts, wee doe nothing neither does there any News come here but wee acquaint you with it

Dekannisore has been at New York he knows no news & sayes that a Ship came in while he was there and likewise the whole Country was assembled together but Brother Corlaer told him no news, wee do again desire that wee may know all the News and we do further say Brother Corlaer let us know whether the Bevers be any Comodity, if they be no Comodity let us know it by the first opportunity then wee do not goe a hunting, but if they be a Comodity wee will all goe out a hunting: And this being said wee rose up and went on our Journey towards Albany

Signed JOHANNES BLEEKER ·
DAVID SCHUYLER

Translated from the original
P me
New Yorke R^{t} LIVINGSTON Sec^{y}
22^{d} Sept^{r} 1701 for y^{e} Indian Affairs

endorsed

New Yorke
Journall of M^{r} John Bleeker & M^{r} David Schuyler's
Journey to the Onnondages the 17th August 1701.
Referred to in Capt^{n} Nanfans Letter of the 2^{d} Oct^{r} 1701
Recêd 17th Nov^{r} 1701.

Lieutenant-Governor Nanfan to the Lords of Trade.

[New-York Entries, E. 68.]

To the R^t^ Hon^ble^ the Lords Commissioners for Trade and Plantations.

My Lords,

Just now came the inclosed to my hands express from the Governour of Virginia wherein your Lordships will see what assistance we are like to expect from that Colony of War; M^r^ Penn writes me to the same effect from Pennsylvania, as will appear to your Lordships by the inclosed Extract from his letter I had them hastily transcribed being unwilling to miss this opportunity of transmitting them to your Lordships the post just returning to Philadelphia and M^r^ Penn immediatly going for England.

Not having time at present I cannot add any particulars of what has been transacted here. Only that the Assembly have granted to his Majesty an additional Duty for two years, and have borrowed two hundred pounds out of the money raised for Onondage to repair Albany and Schenectedah; I passed some other Bills which I take to be purely for the publick peace and welfare of this Province and hope they will be thought so by your Lordships.

I prorogued the Assembly the 18 instant to the 3^d^ Tuesday in March next, and by a Vessell will Saile hence for England in some time, I will transmit your Lordships particulars of what has occurr'd with the Bills.

Our Indians continue firme in their allegiance to his Majesty and in friendship to us.

No Côll Romer as yet

I most humbly pray your Lords^ps^ pardon for I write in great haste

With great regards

My Lords

Your Lordships

Most faithfull & most

Obedient Servant

JOHN NANFAN.

P. S. I must acknowledge the Receipt of Duplicates from your Lordships of 29 April, 7 May, and your Lordships letter of the 20 May relating to M^r^ Champante, since mine to your Lords^ps^ by Capt: Cumbe of the 2^d^ instant.

New Yorke

20 October 1701.

Governor Nicholson to Lieutenant-Governor Nanfan.

[New-York Papers, R. S. T.; R. 38.]

Virginia from his Mat^ies^ Royall College of William & Mary

Hon^ble^ Sir

In mine of the 3^rd^ inst^t^ I gave an account that I had rêced y^r^ hon^rs^ letter of the 20^th^ May last and that by advice of his Maj^ties^ Hon^ble^ Councill I had laid before the house of Burgesses his

Maj^tes Royal Letter w^ch you sent me together with your own, I have with an unwearied diligence againe and againe prest unto them to comply with the subject matter of his Maj^ties aforesaid Royall Letter which you sent me and in the end they came to this resolution—That considering the publick engagements and debts this Country at present lies under they are not in a condicón to furnish the nine hundred pounds and that considering further the necessary Provision, w^ch this Colony will require from time to time for the security and defence thereof, being a large open and defenceless Countrey they are in more want of assistance themselves than capable to afford it to others.

And as to the Quota of men it is the opinion of the house of Burgesses of this Colony that to send a detachment of men from hence would not only be very prejudicial to his Maj^ties Interest at home, but also endanger much the safety of this Dominion

What I laid before his Maj^ties honor^ble Councill of this Colony, and what their opinion is in relation to that subject, and the motives and reason upon w^ch they ground the same you may perceive by the enclosed Papers I herewith send you

By all which it is evidently manifest that there is not the least ground to depend upon having any assistance from hence of men—This letter by the advice of his Maj^ties hono^ble Councill writt to you by him who is

Your most affectionate friend

2^d Oct. Post Mêrid 1701. and faithful humble Servant,

FR. NICHOLSON

2^d Oct Post Mêrid 1701. The Assembly is this day prorogued till the 12^th of November next, not knowing what may happen from England, But hope there will be no occasion of their meeting till the Spring the Winter Season being very inconvenient for holding Assemblies.

By his Excellencys Command

DIONICIUS WRIGHT

Cl. Con— a true Copy JOHN NANFAN

FF. N.

Governor Penn to Lieutenant-Governor Nanfan.

[New-York Papers, R. S. T.; R. 40.]

Philadelphia 18^th oct. 1701.

EXTRACT. Yett could not be prevailed with to think of any supply for the Fort, being extreamly in arrears to the publick and the Lower Counties very poor and long indebted to the Merchants, and their Staple (Tobacco and none of the best) never lower, and indeed the Engineer being absent and the Country now inaccessible, and our own Low circumstances make up some excuse for them, and the negative of Virginia to their part, will render it more difficult every where, considering the dignity of that Colony and the vigour of their Command^r in Cheif to p^rsue the advices from home.

Coppy

JOHN NANFAN

Chief Justice Atwood to the Lords of Trade.

[New-York Entries, E. 65.]

To the R^t^ Hon^ble^ the Lords Commissioners for Trade and Plantations.

My Lords,

By a letter of the 15^th^ of August which was the first opportunity after my arrival here, I presumed to acquaint your Lordships that I had directed a suggestion to be exhibited to the supream Court for a Prohibition to the Court of Admiralty upon a sentence of that Court discharging the ship of one Wake, which had been seized & informed against for want of being registred before it first traded hither.

My Commission as Cheif Justice subjecting me to Ordinances of the Governour and Council; I prevailed with them to appoint the Supream Court to be holden for the hearing and determining the Question of the legality of that sentence and it being considered that one of the persons designed for a Judge in the Supream Court was the person, who as Deputy of the late Judge of the Admiralty, had given sentence in favour of the ship, and the other was a Merchant who might be concerned in interest; the Governour thought fit to suspend the granting their Commissions till this matter should be over in the Supreame Court; and therefore the inclosed Ordinance was made, impowering me alone to hear and determine this matter.

This I conceive to be agreeable to the Ordinance for Establishing the Court, which provides that a Supream Court shall be held and kept at New Yorke, which Supream Court is fully impowered to have any cognizance of all pleas Civil, Criminal and mixt as fully and amply as the Courts of Kings Bench, Common Pleas and Exchequer in England have or ought to have. But makes no Provision for any certain number of Justices: Out of the Office of which Supream Court all process is to issue under the Test of the Cheif Justice of the said Court, which dos not necessarily imply that there must be more than one, nor as I conceive can the Cheif Justice within the Province be disabled from acting upon the deaths or amotions of the other Justices, any more than the Cheif Justice of England. Besides thô my Commission a Copy whereof I here inclose, mentions my power together with the other Justices of the Supream Court or a Quoram thereof.

1. Neither then nor when I sat upon this Cause was there any other Justice.

2. There never was any Provision for a Quorum unless by an expired Act of Assembly.

3. The Commission expressly relates to the Ordinance for establishing the Court, which has no provision for any more than a Cheif Justice who as Cheif Justice in the Province may be so in relation to other Courts. And since the Assistance of other Justices is required only according to that ordinance which requires no assistance; as there is nothing in the Ordinance to restrain the Cheif Justice, neither is there in the Commission, However the Commission equally relates to subsequent Ordinances; And according to that of the 15 of August, I alone am fully impowerd.

Further Yet, the Supream Court as appears above, has full conusance in these matters, and by a special Clause in my Commission inserted by the advice of your Lordships, I have full power to hold the Supream Court, at such places and times as the same may or ought to be held within the Province.

Being as I conceived sufficiently impowered to hear and determine this matter; the suggestion, A copy of which I here inclose, being solemnly argued by Council on both sides,

I having taken due time to compare the authorities cited, and to collect others which I produced at large, gave judgement for a prohibition. As to a certain Bond mentioned in the suggestion which the Admiralty Court had taken to be such a Composition as ought to discharge the forfeiture: My argument herein I hope to transmitt to your Lordships, before the cause can be argued in England, whether 'tis removing by an appeal from the judgement of Council here in affirmance of mine. I must observe to your Lordships that after they had owned the Jurisdiction of the Court, demurring only upon the supposed insufficiency of the suggestion; and by agreement entred in Court were to insist on nothing but the Merits; yet they besides the general error before the Governour and Councill assign specially, that I had no authority and that the determination was coram non judice.

Tho' I had occasion to be very long in my Argument in the supream Court, which I repeated before the Governour and Council, it may be comprehended under these heads.

1. The Conusance given the Admiralty of the original matter within Port is wholly new and so far from excluding the Supream Court that the Act manifestly gives the Supream Court a Concurrent jurisdiction, which differs it from those cases wherein the Admiralty or Spiritual Court has Conusance of the incident as following the principal originally within its Conusance.

2. This according to several adjudged cases is collateral and not an incident.

3. No Rule in the Civil or Marine Law can justify the discharge of a forfeiture actually incurred upon a pretended Composition for a future payment, and that with one who had no authority to compound and bind the interest of the King and Governour, besides that it appears to be no Composition.

4. If there were any particular Rule in the Civil or Marine Law which would reach this case, 'tis directly contrary to the common law which shall prevail in all cases where the laws differ in matters of substance.

Though a great clamour was raised against a sentence of mine in the Admiralty Court against another Vessell which loaded goods on board without having been registred that sentence is at peace and the Vessell is upon Sale; For some others which seem to have incurr'd forfeitures, by direction of the Governour time has been given for such proofs as the circumstances of the several Cases require.

In a short invervall of publick business here, I went to Burlington, where I published my Commission for West Jersey and tooke the Oath and signed the test and association in Council before Côll Hamilton, whose authority in the other Jersey is much disputed.

The affaires of the supream Court the Chancery, the Admiralty and the Assembly here, which rose on Saturday after reviving the last additional duty, rendered it impossible for me 'till now to go to Connecticut, Rhode Island, Boston and New Hampshire, and tho' a severe season is approaching I am not discouraged from going to those places: and indeed, through the neglect and frauds of the officers of the Customes, I am not likely to have any thing brought before me in the Admiralty Court there, a scandalous Composition at Boston makes it my duty to prevent the like for the future, several here cannot well bear with the execution of the laws of England; yet I hope I have hitherto maintained their Credit in these parts, and the Assembly as an evidence of their approving my endeavours have added 70^{li} a year to my Salary during the continuance of the additional duty.

I have not yet applyed my self to the Gov^{r} and Council to know from what time they will think fit my Salary should commence, but Côll De Peyster who was in the Place from about

Chrismas last, barely for necessary process without pretending to judge in any cause not expecting any Salary I submit it to the consideration of your Lordships, whether it may not be reasonable that which I receive here should be from Chrismas as 'tis in England or at least from the Date of the Colonels Commission.

Permit me further to acquaint your Lord^{ps} that this City is miserably divided and had not I prevailed, (if I have prevailed) on the party who think themselves aggrieved for not being returned Aldermen and Assistants not to resolve to right themselves as they had threatned; but to take a legal method, there had hardly been the face of a Government in the City but at my perswasion they have prosecuted Mandamus's and yet would have anticipated the Judgement of the Supream Court by the Presentment of a warm part of a Grand Jury: which Presentment I found reason to set aside for the incertainty. But as I undertook perswaded the Governour and Council to grant an adjournment of the Supream Court to the 25 day of next month in order to determine that and other matters depending.

Since which somthing of a very extraordinary natture has happened, several of the members of this Assembly having been turned out for absolutely refusing to Act after they had been sworn and had chosen their speaker, whom they unanimously presented to the Governour in the room of three, others were chosen who came into the House with a Protestation against its Proceedings and departed to their Counties. These the House of Representatives desire to be prosecuted by the Attorney General: their reasons for which they have sent to the Governour and Council. After this the Writ from Suffolk County was returned unexecuted with an insolent paper sent by the Sheriff as the sense of the Freeholders who then met. The Council are upon enquiring after the authors of this, and I doubt not will direct prosecutions against them; yet I must say I find a backwardness where I did not expect it.

Your Lordships cannot but be sensible that these things are not to be suffered in any Government and while I am discharging my Duty, I dout not of the favour and protection of your Lordships which will be a great support and comfort to

My Lords

Your Lordships most obed^{t}

& most devoted humble Serv^{t}

New Yorke
Oct^{r} 20. 1701.

W. Atwood.

Lords of Trade to Lord Cornbury.

[New-York Entries, E. 86.]

To the R^{t} Hon^{ble} the Lord Viscount Cornbury.

My Lord,

Upon occasion of our enquiring about the Cloathing provided by M^{r} Fauconier (as he says) for the Soldiers at New York, he brought with him to the Board M^{r} Daniel Honan, as Secretary to your Lordship which has surpriz'd us. For as the said Honan lies under an imputation of having been one of Côll Fletchers Instruments whilst he was Gov^{r} of New York, in receiving Bribes from Pirates granting them Protections and committing other misdomeanours; So we

cannot doubt but your Lordship has more particularly observed by the Books and papers that we communicated to you relating to the State of that Government how full the Proofs which ly before us are; That he being private Secretary to Côll Fletcher was Security with other persons for two of the said Pirates upon their setting out to sea; That those Bonds being committed by Coll Fletcher to his custody; he afterwards blotted out his own name in the Body of the Bonds, and tore off his Sign and Seal at the bottom, leaving the names and Seals of the other bondsmen untouched; That being examined upon Oath by the Earle of Bellomont whether he knew of any money given to, or received by Colonel for such protections he swore he knew of none, though it was afterwards positively proved to the Earle of Bellomont upon Oath, that he was present when Côll Fletcher received a Bill of 50^{liv} for a protection granted to one Rayner a Pirate, which was made payable to said Honan himself for Côll Fletcher's use and was accordingly paid.

These being Crimes of [so] high a nature, we have thought fitt to acquaint your Lordship in this manner with our Sense thereof, and further do recòmend to you that in case the said Honan do come to New Yorke, he be not protected by your Lordship from any prosecution for these or other matters. We are

My Lord
Your Lordships
Most humble Servants
STAMFORD
PH: MEADOWS
W^{m} BLATHWAYT
JN^{o} POLLEXSEN
ABR: HILL
MAT: PRIOR

Whitehall
Dec^{r} the 18th 1701.

Lord Cornbury to the Lords of Trade.

[New-York Entries, E. 52.]

To the R^{t} Hon^{ble} the Lords Commissioners for Trade and Plantations.

My Lords,

Yesterday in the afternoon I had the honour of your Lordships letter of the 18 instant in which your Lordships are pleased to say that upon occasion of your enquiring about the cloathing provided by M^{r} Fauconier for the Soldiers at New Yorke he brought with him to your board M^{r} Daniel Honan as my Secretary which has surprized you; your Lords^{ps} are likewise pleased to say that as the said Honan lies under an imputation of having been one of Côll Fletchers instruments while he was Governour of New Yorke, in receiving bribes from Pirates, granting them protections and committing other Misdemeanours, so you cannot doubt but I have more particularly observed by the books and papers that have been communicated to me relating to the State of that Government, how full the proofs which lye before your Lordships are; then you are pleased to mention some of the particular facts the said Honan

has been guilty off which indeed are of a very high nature; then at last your Lordships are pleased to recommend it to me that in case the said Honan dos come to New Yorke, he be not protected by me from any prosecution for these or other matters, In answer to this I take the Liberty to acquaint your Lords^{ps} that M^{r} Daniel Honan was intirely a stranger to me till July last; then indeed he was recommended to me to be my Secretary by persons of very great honour and worth, I took him upon their recommendation and have since imployed him in busyness at the Treasury, Admiralty, Navy, Ordnance, Customes, and at my Lord Chamberlains Office, and never heard anything alledged against him; I further take the liberty to inform your Lordships that among the many books and papers you gave me leave to look into relating to the Government of New Yorke, I did not see those books and papers in which the proofs against the said Honan are contained; this I look upon as a misfortune to me, for had I seen them he should not have remained one hour in my service; I return my humble and hearty thanks to your Lordships for the favour you have done me in giving me light into this matter, else I might very innocently have carryed along with me a man so obnoxious as I find this Honan is and which I am sure I shall not do now for this very post I have sent orders to dismiss him from my service, Your Lordships may be sure that I shall not protect Honan, nor any other person whatsoever from any just prosecution for any crime, and I intreat your Lordships to do me the justice to believe that no private interest of my own can prevaile with me to connive at or incourage any crime whatsoever; but that I goe possest with a resolution to use my utmost endeavours to discover all things of that nature that the persons who are guilty of them may receive the rewards due to them I am with great Respect

My Lords

Your Lordships

On board the Jersey most faithfull

at Spithead humble Servant

December the 21st 1701. CORNBURY

Lieutenant-Governor Nanfan to the Lords of Trade.

[New-York Entries, E. 114.]

To the R^{t} Hon^{ble} the Lords Commissioners for Trade and Plantations

My Lords,

Since my last to your Lordships of the 20th October by M^{r} Penn I have the honour of your Lordships letter of the 14th August with their excellencies the Lords Justices order on the reading the report from the Lords of the Admiralty relating to a flag of distinction from his Majestys ships of war to be worn by all ships that shall be commissionated by the Governours of his Majestys Plantations which I shall punctualy observe.

We have had but little of late occur'd worthy your Lordships notice only a dispute in our City between our two parties relating to the due election and return of Aldermen for the ensuing year which has since been determined by several supream Courts for that purpose. I presume the cheif Justice will be very particular to your Lordships as well in this as in what

else relates to the Judicial proceedings in this Province so that I shall give your Lordships no further trouble in this matter.

Our Indians are in great temper and I hope will so continue I have posted for intelligence of the French designes this winter four understanding men Viz^{t} one in each of the four farthest of our five Nations and would have sent some under the pretence of tradeing to the New French Fort D''Trett or Tieughsachrondie built on that Tract of Land lately given by the Indians to his Majesty and in the midst of their Beaver hunting But the winter setting in there so violent and the Journey so long I could perswade none to undertake it at present tho' by a French Quarter Master lately sent from Quebeck by the Governour of Canada, and bound for England in order fo[r] France in this ship to solicite a fund (as he says) to rebuild their seminary there, which was burnt intirely on the 4th November last, twas 33 years in building and cost 300,000 Crownes I am told there never went up more than one party to build and settle that fort which consisted of twenty four Cannoes with four persons in each men with some women and Children so that I cannot see should there a warr happen or his Majesty's orders for their being removed but that in a seasonable time of the year they might easily be dislodged, which would be of great satisfaction to our Indians who are now over aw'd in their hunting by that settlement.

I send to your Lordships inclosed the Acts of Assembly, Journal of the Assembly, the Assembly's Address to his Majesty, Quarters minutes, July, Augst and September M^{r} Plowmans Petition to the Lords Justices and the report thereon of the Committee of Council here, and copy of my letter to your Lordships by M^{r} Penn and Governour Nicholsons papers I sent inclosed in that letter.

As to what moneys in the additional duty bill they have disposed of to me I doe averr to your Lordships as soon as I heard their design I positively [declared] to some of them, I neither could nor would take any money till his Majesty's direction therein and forbid them naming me any way in the bill and indeed I thought they would have observed my direction till the bill came up which was the day before the Prorogation, I found myself named therein but I beleive they thought they could not handsomly bring in others without naming me, thô I have not nor will I receive one farthing of it in obedience to your Lordships orders, and do hereby renounce all manner of claim or title thereto, and will be willing at any time to give such a formal release as your Lordships in your wisdom shall think proper for I protest to your Lordships I never had any such design knowing very well how to be obedient.

The Journal I fear may not be so correctly printed the caracter being near worn out and the printer apt to mistakes in spelling.

I must pray your Lordships thoughts on the Soldiery in this Province in his Majesty's pay, that his Majesty's service and my self may not be ruin'd by non-payments of my bills in London for their subsistance I assure your Lordships they receive every week each private man his three shillings and sixpence in money with the addition of 20 per Cent and the Officer his proportionable no manner of stoppage from what the King allows and I am forced to engage my own fortune for the repayment with charges in case Bills should be protested I and mine wholly depend on your Lordships favour in this affaire or we are undone Therefore pray your Lordships assistance to M^{r} Champante should he have occasion.

My Lords I have received a duplicate of the Commission for tryal of Pirates by M^{r} Larkin with some Acts of Parliament and have opened the Court and appointed a Register with whom M^{r} Larkin before he went hence left proper instructions

Some time after arrives here a small ketch from Providence bound for England Having on board Mr Hasket the Governour of them Islands a prisoner sent thence by the inhabitants who had usurpt the Government and form'd one of their own who found some means in letting his freinds in this place know his misfortunes with all accusing some on board with Piracy particularly one James Crawford, super Cargo of the Ketch, when as soon as I was acquainted therewith I sent down his Majesty's Boat and arm'd and brought her up after which upon a formal Accusation of Mr Hasket I order'd the Attorney General to prosecute said Crawford who after a full and fair tryal was acquited of Piracy by a majority of the Court (the particulars of which are sent pursuant to the Act to the High Court of Admiralty) on which Cöll Hasket gave in a Memorial to my self and Council a copy of which your Lordships have inclosed with the minutes thereon accusing John Graves Roger Prideux and James Crawford of High Treason in being concern'd in the Rebellion in Providence desiring there being continued here till his Majesty's Pleasure be further known, I would have sent them confin'd home to one of his Majesty's Principal Secretaries of State but this Vessell is so crowded with goods and Passengers that there is no room for them so must take the next opportunity.

I send your Lordships the Cheif Justices opinion in law on their Case.

I cannot omit taking notice to your Lordships of the diligence of our Cheif Justice and Collector in putting in execution the Laws of trade without fear or favour and discouraging the illegal Trade of this Place as much as possible.

I wonder what Cöll Romer means in not coming hither I have not as yet been able to procure him nor know when I shall.

I also send your Lordships a Duplicate of the Ordinance for the Court of Chancery, and a Minute of Council relating to the accounts of Mrs Courtlandt

I have not else at present to trouble your Lordships with but am

My Lords

Your Lordships most
obedient and most
faithfull Servant
JOHN NANFAN

New Yorke
29 Decr 1701.

P. S. Janry 13th 170½.

Since the above written the ship has been detain'd by Ice and Coll: Romer long look't for come at last I shall immediatly imploy him on his Majesty's Service Nothing since has occur'd worthy your Lordships Notice.

Chief Justice Atwood to the Lords of Trade.

[New-York Entries, E. 98.]

To the Right Honble the Lords Commissioners for Trade and Plantations.

My Lords,

The superintendency of your Lordsps over these parts I hope will excuse my troubling your Lordships with long accounts of my proceedings in introducing the Law of England and

preventing those abuses of the Acts of Trade which are two frequent especially at Boston which is the only place where the Admiralty Commission has been treated with contempt.

Indeed the Governour and Council of Connecticut were for some hours of opinion that it interferes with their Charter, and that they could not receive me as a Judge there till they should consult their Assembly. But I think I left them in a disposition to submit to that Jurisdiction yet one of their Council being Deputy Collector at New London the present seat of their Government I expect not to hear from thence of any Seizures or informations And if any Seizures are made 'tis very probable that the support which the Superior Court and Council at Boston have given to a Deputy Collectors fraudulent Composition will encourage him and others to the like frauds and that they will presume to continue a Practice which perhaps obtains in all places hereabouts, except this of putting the King off with a third of his third; supposing it in the power of the officer by taking one third for the whole to conclude the King and Governour.

I doubt not but they who are in the Government at Boston are beforehand with them in their complaint and may have represent me as a warm man for my publick exposing the Argument of one of their Clergy who maintained that they were not bound in conscience to obey the Laws of England having no representatives there of their own chusing I cannot but hope that my Zeale for the laws and interest of England will ballance their solicitations and that your Lords^{ps} will not only approve of what I have done there to assert his Majesty's authority among them but will think of some way of obliging their superior Court to withdraw the protection which they have given the Deputy Collector against a sentence in the Court of Admiralty which they not only suffered him to libel against in very indecent terms, but treated his Majestys Commission with Indignity, refusing to receive a memorial which I offered a Judge of the Admiralty Court, till they had driven me from the side of the bench where strangers generally sit to be amongst the Attorneys of their lawless Court, and suffering me to be interrupted by one Horn, who in affront to me while I was giving sentence in the Admiralty placed himself before me in his night gown and shaved head without any covering

He was the Penner and Justifier of the inclosed libel of which I complain in my memorial here submitted to the Judgement of your Lordships instead of doing me justice upon it they have continued their protection till the Court in May next, after a general Council had been held upon it after which they directed the parties Council to draw suggestions for a Prohibition, a Copy of which is promis'd me.

Tis certain unless some further authority from England check their proceedings 'twill be impossible for his Majesty's Admiralty Jurisdiction to have any effect there, since they will pretend to suspend the execution of its sentences as long as they shall think fit to consider of any Petition thô never so scandalous and impertinents.

The opposition which I met with detaining me there for some time while their superiour Court Sate, I could not but observe and wonder at their methods abhorrent from the laws of England and all other Nations and directed by Acts of their Assembly's which give or allow four tryals in every Cause where their evidences are most in paper as cunning men draw them and as a temptation to perjuries new proofs are admitted at the latter tryals to encounter the former evidence.

In my last which I suppose is arrived I presumed to mention to your Lordships one of the grounds of my Judgement in the Supream Court for a prohibition and denyal of a Consultation upon an illegal discharge in a Court of Admiralty of the ship of one Wake who on the 17 of

July 1699 had imported hither goods of the value of 7800li sterling prime Cost and yet had been let goe by one Parmiter then and still Naval officer, upon a bond entred into by Wake, alone in the penalty of 2000li conditioned for the proving that the ship had been registred before that time.

The Governour and Council having affirmed the Judgment for that prohibition Wake as appealed home but the letters Patents which give the appeal having provided that such appeal shall not suspend the execution of any Judgment or sentenee I have proceeded in the Admiralty where Wake refused to appear and plead, yet his former Attorney offered several things as amicus Curiæ principally the pendency of the Appeal and for evidence that the ship ought to be discharged produced a letter to the Collector from the Commissioners of the Customes which mentions their having searched the general Book of Registers, and finding such a vessel was registred in August 1699 for which reason they require him to discharge the ship upon oath made that this was the same then Registred unless there were other Cause.

But if the order had been absolute it being grounded on a Register since the importation this I conceive would not have been any warrant for me to discharge the ship, and I could not but take this to be an undenyable evidence that the forfeiture was incurred and have made adjudication accordingly. From this they pretend to appeal but were wholly uncertain in their demand not knowing whether to direct it and no formal appeal being lodged according to the Rules of the Civil law I question whether they could have any effect of an appeal if there had been ground for one, I have since put the sentence [into] execution and Wake himself has bought her at a publick Auction, for 700li including 100li allowed for Melioration since the forfeiture and a treaty about letting her out.

Permit me further to acquaint your Lordsps that one Mr Veche (a Darian Captain who has marryed the daughter of Mr Livingston[1] said to have made a dismal representation of the State of this Province in which I dare say there is not a word of illegal Trade) is known to have been the person who came off so easily upon the seizure at Boston He with one Savin and Mr Leviston own son have had worse luck with another parcel of wines and brandies with other European [goods] & Tobacco imported in a Vessell driven into a Bay at the East end of Long Island by stress of weather the plea upon which there is a demurer seeming manifestly defective I believe I shall have no occassion yet to determine whether this is not an importation within the meaning of the Act 15. C 2. C 7. but if it be not I am sure that Act may easily be eluded. And I submit to the consideration of your Lordship whether to prevent the temptation which men have to venture upon unlawfull Trade from the opportunites which they have of selling to the French or those of St Thomas vessells which had unlawfully imported goods, 'twill not be requisite to have a law in England, in such case to charge the parties where they can be found And I submit it to consideration whether if men may carry to foreign Plantations European goods which came not directly from England 'tis not reasonable some particular provision should be made to prevent that supposed liberty with which unlawfull trade is too much colour'd and whether if the vessells or goods cannot be taken 'tis not fit that the persons guilty should not be charged to the value I must needs think till otherwise advised that if the stress of weather or any of his Majestys men of war force into Port Vessells so trading the Vessells and the European goods in them will be forfeited within the Stat. 15. C. 2. which

[1] Margaret, daughter of Robert Livingston, married Samuel Vetch, afterwards Governor of Nova Scotia. — Ed.

certainly intended to prevent the Trading as well as the importation, thó the seizure and condemnation are only upon the importation.

A practice has long obtained to the prejudice of the Navigation and Trade of England as well as of this place for the Merchants at Boston to send European goods hither in their vessells: whereas the Act 15. Car. 2. seems to intend that they should be brought directly from England to each place where they are imported: But this has hitherto been construed here as if 'twere enough if but once imported to any English Plantation. In this matter I creave the directions of your Lordships

Thó my zeal for the laws of England concerning Trade has occasioned great clamours they have been far short of what had been raised upon my interposing with the law of England to secure the peace of this miserable divided City and obliging men who had been sworn into offices by the New Mayor alone contrary to the return of the City and the express words of their Charter, to bring their Actions upon the returns to mandamus's and not suffering them to be accounted Officers till the matter should be determined in the supream Court: That this might receive no delay I procured several ordinances of the Council for sittings of the Court and at last have quieted the matter to a general satisfaction or at least acquiescence

And of three Aldermen with their assistants who had been sworn by the New Mayor, after tryals one has quietted his pretentions and the other two have been sworn according to the Charter upon peremptory Mandamuss

I still presume upon the patience of your Lordships while I mention part of the misfortunes of the Governour of the Island of Providence[1] who upon an Insurrection there was kept some time a close prisoner in chains and sent in chaines on board the Ketch which being obliged to touch upon this Coast gave him the opportunity of coming free to shore, He has since prosecuted for Piracy one Crawford a bold young Scotch man, who had been active in the insurrection and had goods on board taken out of the Governours storehouse and four Patereroes and chambers taken out of a Vessell belonging to his Majesty and him besides which he was one of those who seduced on shore the Master of a frigat in which the Governour was interested by means of which the frigat was immediatly after brought under the Cannon of the fort possessed by men who had seized it in open rebellion against his Majesty as I conceive it to be, thó Lords Proprietors have the Government under the Crown of England.

Crawford had the good fortune to be acquitted by a majority of the Commissioners by virtue of the late Act and his Majesty's Commission here. To me it seem'd that he himself acted as a Pirate and however being joyned in Treason with others who committed Piracy in Prosecution of their Treason in which all must be principals, was answerable for all the consequents. Thó he escaped 'twas unanimously agreed and so entred that there was very probable cause for the prosecution. He and two of his accomplices are under confinement by order of the Council the occasion of which your Lordships may observe by the inclosed opinion.

By these matters which I have faithfully laid before your Loreships I have made many enemies perhaps even more than Mr Weaver whose warmth in his Majesty's service and great care to prevent irregular Trade make many earnest for his removal of which they think themselves sure upon the coming of a new governour with whom they have already laboured to make impressions to his prejudice

As to myself what ever be the consequence I hope god will enable me to discharge my duty which tho' it require great paines and application for want of assistance where I had reason

[1] Elias Haskett, Esq. entered on the government of the Bahama Islands in May, 1701. Particulars of his difficulties will be found in *Oldmixon's British Colonies*, II., and in *New-York Colonial Manuscripts*, XLV.—Ed.

to expect some, at least that the inactivity of others should not tend to my reproach. I shall go through it with alacrity if I can but understand that your Lordships approve of the sincere endeavours of My Lords

Your Lords^{ps} most
faithfull & most obedient
New Yorke humble Servant
December the 29. 1701. W. Atwood.

Petition of the Protestants of New-York to King William III.

[New-York Papers; (S. P. O.,) Bundle 382.]

Citty of New-York 30 December 1701.

To the Kings most Excellent Majesty

The humble Petition and address of Your Majesties Protestant subjects in your Plantation of New York in America.

Most Dread Soveraign.

We your Majesties Protestant Subjects in Your Plantation of New York in America, having too many reiterated Informations of our being calumniated and misrepresented to your Majesty, with hearts full of grief, Loyalty, and the highest duty and regard to your Majesty humbly pray the Freedom to acquaint Your Majesty.

That as soon, as we knew of your Majesties happy accession to the Crown, we entertained the joyfull tidings with hearts full of alacrity blessing Almighty God for our great deliverer.

And, as we cannot still without Dread and Horror reflect upon the ruine and calamities that were likely to swallow us up, when your Majesty brought us deliverance; so we are influenced with a lively and gratefull sense, that our Religion and Liberties are in the greatest safety under your auspicious Reign.

We do assure Your Maj^{ty} that the divisions and differences that have happened amongst your subjects in this province were never grounded upon the interest of your Maj^{ty}, but the private corrupt designs of some of the Pretenders to your Maj^{ties} service who had laid hold of an opportunity to enrich themselves by the spoils of their Neighbours.

The oppressions and hardships we underwent took an end by the arrivall of Your Government, and during the whole course of the late warr, with Your Maj^{ties} gracious assistance we chearfully sustained its burthen, some of us in our persons, and all of us by our purses, and by the fortunate influence of Your Maj^{ties} Empire, conserved this Your Colony entire from any conquest of the Enemy.

Being conscious to ourselves of nothing more than an entire affection and faithfull adherence to Your Maj^{ties} Royall person and interrest, it was the greater surprise to find our selves by the late Earle of Bellomont without reason or colour turned out of places in the Government, and those generally filled with persons least qualified for their posts, & to add to our misfortune, and evidence the injuries we have suffered, we find our selves to be branded most unjustly with characters of disaffection and infamy; although with all dutiful submission we underwent the

first, yet the latter as being an offence to truth and touching us in our good names, and the interest all faithfull subjects ought to have in a just Prince, we cannot, but be extremely sensible of.

Your Majᵗⁱᵉˢ subjects could not at first foresee the ends design'd, but the measures taken were of that nature as to give us just apprehensions of evil, great partiality in appointment of Officers, manifest corruption and injustice in all Elections, and that so open and barefaced, as the greater number of the people could not but see the destructive projections not less than the injurious means used to attain them, being nothing else, but abusing Your Majᵗⁱᵉˢ glorious name, and under pretext of your Majᵗⁱᵉˢ service, by the Legislative power, to divest many of your Majᵗⁱᵉˢ good subjects of their just rights and possessions and to share and divide the same amongst themselves and their confederates, with many other sinister, indirect & unjust proceedings, easily to be proved, but too many to enumerate at present to Your Majestie, thereby greatly offending Your Majᵗⁱᵉˢ good subjects and tending to render your Majᵗⁱᵉˢ Governᵗ in these parts scandalous, vile and cheap in the Eyes of your people; although these Methods had long since been determined, if they had not lately met with new supports.

We humbly implore Your Majᵗⁱᵉˢ justice in releiving us from these evils, and take this opportunity of assuring Your Majᵗⁱᵉ that amongst the vast numbers of mankind, who have willingly subjected themselves & taken shelter under Your Majᵗⁱᵉˢ dominion, none are more heartily devoted to pray for Your Majᵗⁱᵉˢ long and prosperous Reign over us, than Your Majᵗⁱᵉˢ most obedient, most humble and most dutiful subjects and servants.

W. Nicoll	N. Baijard
John Hutching	Brandt Schuijler
Rob: White.	David Jamison Jr
Matthew Ling	Stephen De Lancey
Rip Van Dam	Tho: Wenham
Benj Ashe	Law: Reade
John Livingston.	Robᵗ Watts
Abraham Santford.	Hendrick Meslaer
Barth: Le Roux	C. Wolley
P: White	John Barberie
Jnº Basford	George Stanton
Daniel Crommelin	Robert Anderson
A. Morrisset	Caleb Cooper
James Spencer	Tho: Codrington
Jeremiah Tothill	Benj: Faneuil
S. Morisset	Jnº Cholwell
William Richardson	Tho: Davonport
Henry Coleman	Mich: Christian
The mark of O Charl Delleto	Hugh Farquhar
F Vincent	Nicolas Jamain
Elias Neau	Ebenezer Willson
J. Sayre	Arent Schuijler
Stephen Jamain	J: V: Cortlandt.
Lancaster Symes	Paul Droilhe[t]
Will Morris	Walter Thong

Augustus Frasser
Peteur Lerox
Andrew Law
Robart Edmonds
y^t^ mark T of Th^o^ Simmes
y^t^ mark ⋈ of Peter M^c^Laine
John Scott
the mark ✓ of Ja^s^ Mason
y^t^ marke T of Thô: Cobren
Isaac Charrier
marke M of W^m^ Moss
Sameuel Mynderdt.
Jarvis Marshall
M. WS.
Robert Stetton
Giles Gaudineaux
John Sheppard
Goussé Bonnin
W^m^ Fulwood
Paull Macing
David Lyell.
Talleaux
Jan Harbendinck
Sam^l^ Bayard
Rich^d^ Willett.
Augustus Lucas
Benja: Blandenburgh
Jacob Adams.
Rutgart Waldron
Rich^d^ Overin
Peter Andere
Salomon De la beeque
John Tuder Jun^r^
Tho^s^ Child
Jean Faget
Ebenezer King
J: V: Hoorn
Rob^t^ Nisbet
R Deene
J: V: Meer
John Van Hoorn
Tho: Burrows
Jo: Hardenbroek
Jan Vincent
Samuel Watson.

Elias Boudinot
Edward Burling
William Smith
John Harris
Nath: Marston
James Wells
Joseph Smith
Will: Robartson
Peter Thannet
John French
Mich: Handon
Job: Drommond
Rob^t^ Darking
Abraham Kip
Augustus Jaij
Sam: Vetch
Will: Anderson
Rob^t^ Stewart
J. Verité de Sorsoleil
J. Jansen
Rob: Allison
William Snawell
Rob^t^ Lurting
Sam^l^ Burtt
Hugh Gray
Claude Brueya
Jn^o^ Saffin
John Geddes
Richard Plested
Louis Carr
Hen Coates
Here are two signatures almost obliterated.
Johannes van Cortlandt
Tho: Joslin
William Robson
Cornelis Vielle
B. Leathem
Johannes d Honneur
Jan Vincent
Tho: Richords
J: Bedwell
Elie Bianco
David Violet
Edward Marshall

Jn° White
Moreshall's Boult's marke—
W^m Gutt
J Haswell
William Bickley
Tho Elissen
William Whiting
y^t marke of Jn° Foorde
y^t marke of Th^s Wild
y^t marke of Rich: Davis
y^t marke of Th: Scurbach
y^t marke of Rob^t Buffe?
William Watt
Jillord Greene
y^e marke of W: Ovett
the marke of Morgin Baxter
Richard Heiom?
y^e marke of W^m Pemberton
John Reade
John Davenport
Isaac Anderson
(here is a name obliterated)
J. Hephderret
Joseph Walt
y^e marke of Jonathan *Pain?*
y^e marke of H. Jn° Broadey
the marke of .....Hitchcock
y^e marke of ..... Foord
y^e marke of Nathaniall Pocok
y^e marke of Edw: Roberts
R W y^e marke of Rich: Willson
Tho: Burroughs Jun^r
John Bowen
Timothy Brett
William Gllespie
William Digges
Joseph Harwood
William Casway?
George Maye
Francis Sherman
y^e marke of Ja: Coley
Coenrades Vanderbeeck
Poulus Vanderbeeck
Abram Vanderbeeck
Rob^t Cranill

John Lucas
William Wood
Jeremiah Callcutt
J. M. Groen
Daniel Poveron
Reijnier Resau
Reijnier Resau Jun^r
John Coby
Thomas Parfield
Samuel Ash
John Nobell
Hugh Vezie
y^e marke of Ja: Holloway
y^e marke of Tho^s Coby
y^e marke of Jn° Benfeld
y^e marke of W^m Polt [Pell]
y^e marke of Edward Merratt
John Sahnp
Wiam Vertüe
William Lebrunt
y^e marke of Rob: Wiliamson
Edward Fitz Gerrald
Alxsandier Alkorne
y^e marke of Tho: .....
y^e marke of Rich: Cooper
the marke of Ed: Hassett
Thomas Fling his marke.
y^e marke of Jn° Bench [French?]
y^e marke of Tho: Ewings?
Edward Cole
Thomas Steorrt
Daniell Maden
John Kingston
John Wood
Thomas Badcock
Thomas Jones
James Bullmar
y^e marke of John Cornele
y^e marke of Jn° Alling
y^e marke of Peter Mark
y^e marke of Will: Clark
Ja^s Wright
Edward Anderson
Daniell Cartill
George Davis

George Williams
John Owenes
Richard Conell
John Ellison
James Bussey
y^e^ marke of ⊖ of Cristofer Doge
John Thorne
O H y^e^ marke of Obediea Hunt
I R y^e^ marke of John Rickes
John Dolman
Thomas Yudson
William Stoks S^r^
James Hading
George Smith
y^e^ marke of ⋈ Charles Mansell
James White
Jonathan Willfeld
Jonathan Shaw
Anthony Ydallston
Alexander Macky
Jam: Watters
Edward Hountt
y^e^ marke of ⌀ Cha^s^ Dumingin
George Cox Jun^r^
John Finsh
y^e^ marke of *w* Andrew Pauling
Thomas Celmaster
William Smith
Ben: Hildreth
Abraham Rezeau
William Gainer
Peter Rezeau
y^e^ marke ⊖ of John Johnson
James Vertu
Ja: Nickols his mark *v*
Abraham Brookes
W^m^ Huddlston
John Crooke
Richard Ieats
Will: Miseln
Mauris Shockbolt
Thomas Smith
Richard Williams
George Coutzer (Bautzer?)
y^e^ mark of P P Peter Paine

Alex: Cope
Francis Kendall
George Dod
Samuel Drew
Tho^s^ Worsden
Samuell Trigg
Philip Jeaman
Abram Jeaman
Thomas Button
Luke Forde
Obadiah Smith
Robart Lorand
Daniel Butts
John Butler
Gerrit Rood?
W^m^ Hodges
Richard Moor
Daniel Jones
Thomas Jameson
William Haywood
y^e^ marke of ⋈ Sam: Gooldings
Jean Davits
John Robinson
y^e^ marke of ⋈ W^m^ Davis
Knight Younge
John Vanderbeck
y^e^ mark **A** of Edward Aterll.
Thomas Burroughs.
Edward Blake
y^e^ marke *J* of Jn^o^ Jones
y^e^ marke *w* of Jn^o^ Floyd
John Smith
John Reede
John Simson × his mark
John Collins
Jos: Cleaton
William Leathes
John Foster
Tho: Johnson
Poulus Vander beeck
John Robberts
Anthony Lane
y^e^ marke of *J W* Jn^o^ Williams
y^e^ marke of *t* Jo^s^ Right
ye marke of ⋈ Dan May

y^e marke of ‡ Jn° Moore
Ralph Thorman
y^e marke ⋈ of Jo^s Ellot
Thomas Parker
Pijeter Lenoxon ?
Charles Simmon
John Pannington ?
Frances Homes
Robert Gordon
Ralph Hockenhall
y^e marke of △ Tho^s Woodland
y^e marke ◯ of Nicholas Browne
John Bell
Pr: Bayard
G: Munnvells.
y^e marke of ⁺ Tho: Bowden
William Weenton Γ
Joseph Wright
John Hope
William Chisnall
Th° Hooke
Tho: Hooke Jun^r
Joseph Waeldron
Christ: Denne
y^e marke 𝔴 of W^m Brisbren
Edward Marshall S^r
y^e marke of & John Faner
John Greene
y^e marke ∝ of John Ewing
John I R Russell's Mark
Richard Flemen
John × Sadler
Fergesonn [Ma] Cloud ⋈

Wee, underwritten, in behalf of ourselves and about half of the freeholders and inhabitants of Ulster County, whose names are in the Schedull annext.

Theunis D: Keij
Henr Beeckman
Tho: Gaston
Dirck Schepmoes
N. D. Meijer
W^m Legg
Cha: Brodhed
W. T. Broeck
Abraham Gaesbeek Chambers
Johannes Wynkoop
Jo. Cock

Wee underwritten for ourselves and the maj^r part of the freeholders and inhabitants of Richmond County, whose names are annext.

Tho Stilwell
Jan Teunisen Pelt
Abram Devoe
—— Duxbury
Richard Merritt

Wee, underwritten in behalf of ourselves and many of the freeholders and inhabitants of Kings County on Nassau Island.

Henry Wilkes
Garret Stoothof
Josep Hegeman
Roelof Schenk
P. Van Aersen

Wee underwritten in behalf of ourselves and upwards of two thirds of the freeholders and inhabitants of Westchester County.

Caleb Heathcote.
Jn° Horton
Joseph Purdee
John Drake
Will^m Willet
William Barnes

Wee underwritten in behalf of ourselves and about two thirds of the freeholders and inhabitants of Queens County on Nassau Island.

Tho Willet
Daniel Whitehead
Jn° Taalman
Tho: Hicx
Jonathan Smith.

MEMORANDUM. From Suffolk County no return is made

Wee underwritten in behalf of ourselves and the major part of the freeholders and inhabitants of the County of Albany whose names are in the scedull annext.

P. Schuyler
David Schuyler
Wessel Ten Broeck
Albert Rijckman
Gerrit Teunise
Johannes Glen
Naning Hemesen [Harmensen]
R[t] Livingston

A List of the major part of the freeholders and Inhabitants of the County of Albany.

Coll: Peter Schuyler
Robert Livingston Esq[r]
Myndert Fredrix
Barent Brat
Cornelis van Nesse
Govert Hendrickse
Brut Bagge
Adam Vroman
Philip Schuyler
Jn[o] Rutelege
Jochim Lamberts
Peter van Olinda
Bartholome Volkers
Harmen Van Slyk
Lammert Jansen
Johannes Teller
Evert Van Nes
Hendrick Vroman
Jan Van Nes
Evert Van Eps
Gysbert Marcelis
Hendrick Oothout
W[m] Claesen
Jacobus Turk.
Harmen Vedder
Isaacq Vosburg
Peter Quackebos
Joh. Oothout
Gerrit Luycasse
Fredrik Harmesse
Jellis Van Voorst
William Van Aelen
Th[o] Wendel
Philip Philipse
Adrian Manevos
Albert Rykman
Th[o] Smith
Claes S—
Jn[o] Moler
John Cloet.
Elbert Harmense
Cornelis van Slyk
David Ketelhuysen
Isaacq Alstyn
Peter Martensen
Th[o] Millington
Josep Janse
Jacobus Scuyler
Luycas Gerretsen
Hendrick Mynders
Harmen Rykman
Martin Poulsen
Jan Salomonsen
Hendrick Van Dyk
Melg[r] vander Poel
Jacob Luycasse
Reymon Mynders
Wouter Quakebos
Daniel Van Olinda
Luycas Luycasse
Jacob Lockerman
Dirk Teunissen
Jan baptis van Eps
Barent Corrman
Dirk vander Carr
Jan Bronk
Johannes Bratt
David Schuyler
Teunis Egbertsen
Egbert Teunisse
Jn[o] Kedent
Volkert van Hoese

Antony Brat
Jn° Geriesse
W^m^ Hogen
Helmer Jansen
Harport Jacobs
Poulus Martensen
Evert Bancker
Bennonij Van Curler
Wessel Ten Broeck
Isaacq Curpensen
Johannes Van Ale
Marte van Slyk
Jesse Grass
Abraham Schuyler
Isaacq Verplank
Frank Salsbury
Jn° Garretsen
Roelof Garretsen
Dirk Brat
Edward Corbet
Daniel Bratt
La fleur
Peter Villeroy
Peter Bronk
Albert Ryckman Jr
Jn° Syne
Manes Sexby
W^m^ Hilton
Martin Krygier
Daniel Volckertsen
Ryer Gerritsen
Dirk Meape
Samuel Dirker
Johannes Dirker
Teunis Dirker
Ahassueros Marcelis
Jn° Car
Dirk Vanderheyden
James Parker
Levinus Van Schaik
Benjamin Lanyn
Jno: Gilbert
Johannes Luykasse
Dirk Wesselsen
Johannes Abert

Jan Van Loon
Stephen Groesbeck
Daniel Jansen
Ary Oothout
Jacob Bogart
Nanny Harmens
Anthony Coster
Jn° Labater
John Rosse
Johannes Harmense
Anthony Coster
Jn° Levertse
Jacobus Perke
W^m^ Jacobsen
Claes Luycas
Daniel Ketilhuys
Cornelis Bogardus
Josep Yeats
Joh^s^ Sandersen
Peter Vosburgh
Johannes Thomasse
Kilian van Ranselaer
Anthony van Schaik
Anthony Bries
Gerret van Nes
Edward Reyner
Rob: Frelhy
Ro^t^ Livingston J^r^
Martin Johnsen
Cornelis Martense
Henry van Nes
Jacob Teunisse
Hendrik Lansing
Wouter Quakebos
Andries Jansen
Jn° Andriesen
Volkert Andriesen
Jan van Nes J^r^
Teunis Jacobs
Henry Van Renselaer
Henry Lambertse
Salomon Cornelis
Jonas Jonasse
Luycas Janse
Garret Teunisse

Myndert Schuyler
Johannes Schuyler
Marte Martense
Mars Hendrix
Cornelis Hendrix
Cornelis Teunisse
Nicholas Dow
Volkert Gerrets
Mache Cornelis
Wm Ketilhuys
Johannes Becker
Andries Dow
Volkert Dow
Tho: Johnsen

A list of the freeholders and Inhabitants of the County of Ulster

Coll. Henry Beekman
Capt: Wm Garton
Capt: Wm D'Meyer
Dirk Schepmoes
Wessel Ten Broek
Abraham Gaesbeck
Tho: Nones
Wm Nottingham
Edw: Wittaker
Henry Shomaker
Jno Fortune
Jacob Dubois
Johannes Spoor
Guysbert van Osterhout
Jno Lashair
Teunis Ellissen
Abram Lamatin
Jacob Lamartin
Jno Legg
Henry Traphagen
Salomon Shut
Dirk Hendriksen
Wm Leg Jr
Jno Burhans
Crijn Oosterhout
Nicholas D'Meyer
Peter Wenne
Frederick Hoffy
John Lowese
Wm West
Salomon Davis
Cornelis Switts
Richard Brodhead
Jeremy Ketle Jr
Wm Annis
Claes Kater
Jacob Cool
Evert Wyncoop
Jno Wells
Teunis Tappen
Peter Tappen
Gerrit Aerssen
Barent Van Wagenen
Mattys van Steenburgh
Elias Teunisse
Jno Davenpoort
James Wittaker
Cornelis Lammertse
Paul Preller
Peter Preller
Jno Wood
Jno Cok Jr
Wm White
H Beekman Jr
Bruyn Bressen
Henry Ploeg
Jacob Vander Merkt
John Braty
George Hall
Jno Pawling
Tho Hall
Jno: Cock
Tho: Cock
Henry Johnse
Jno Hendrickse
Jacob d'Wit
Henry Johnse Jr
Moses Du puie
Teunis Oosterhout
Jotham Shoemaker

A List of the majr part of the freeholders & Inhabitants of Richmond County, Vizt

Elias Duxbury	Jno Andrewse
Lambert Dorlant	Capt: Thos: Stilwel
Nice Teunise	Nathan Whitman
Edmd Arissmith	Tho: Stilwel
Jo: Arissmith	Abraham Larrman
Cornelis Nephew	Nath Brittan
Henry Van Dyk	Wm Cummins
Nicholas Baaker	Wm Brittain
Johannes de Campe	Nath: Brittain Jr
Larrens de Campe	Tho: Walton
Jno Teunisse Pelt	Jno Stilwel
Andrew Canon	Richd Mitsher
Jno Harmenson	Richard Curtis
Peter Hankswood	Daniel Lake
Richard Merrit	Joseph Homer
Jno Shotwel	Stofel Gerrits
Daniel Shotwel	Henry Shaddin
Ephraim Taylor	Jno Shaddin
Aron Praal	Benj Britten
Peter Praal	Jno Shuddin Jr
Lamert Gerritsen	Abram Cole
Wm Teller	Charles Marshall
Jno Burdoin	Benj Cooper
Jno Croisson	John Van Pelt, Jr
Peter Staats	Peter La Comte
Philip Merrill	Bon a foy
Aert Blank	Daniel Erwin

Lieutenant-Governor and Council of New-York to the Lords of Trade.

[New-York Entries, E. 122.]

To the Rt Honble the Lords Commissioners for Trade and Plantations.

My Lords,

We take the Liberty by the inclosed to acquaint your Lordships with so much as we are yet able to discover of a conspiracy to raise sedition and mutiny here and to defame the Administration of the Government of this Province under his Majesty which appears to have been carryed on by a factious party, the head of which is one Cöll Bayard of foreign birth a man never easy under an English Government and others are very angry that they cannot break the Laws of Trade with impunity.

That they might intimidate those who are intrusted with the Administration they have used

vile Arts to seem formidable thô few of the English inhabitants of this Province in comparison with the true English subjects who inhabit it joyn with them and the most are Soldiers inveagled by false pretences, common seamen, sojourners boys and such as have been only passengers, together with Dutch and French men, of which many are aliens, some names are twice over and very few of them understood what they sign'd to; they seek to impose upon his Majesty and the House of Commons as if they transmitted to them the complaints of the English of this Province.

But we assure your Lordships they have not applyed to us for redrees of any pretended greivances nor do we know of any reall, and while we execute the authority intrusted with us to the best of our understandings we doubt not of his Majesty's approbation and the protection of your Lordships which is humbly desired by

My Lords

Your Lordships most faithfull
and most obedient Servants

JOHN NANFAN
A. D. PEYSTER
S. STAATS
R. WALTERS
T. WEAVER
W. ATWOOD

New Yorke
20 January 1702

Lieutenant-Governor and Council of New-York to the Lords of Trade.

[New-York Entries, E. 125.]

To the R^t^ Hon^ble^ the Lords Commissioners for Trade and Plantations.

My Lords,

Since ours of yesterday we have received further evidence concerning a conspiracy to disturb the Peace Good and quiet of his Majestys Govern^t^ established in this Province and it appears very manifestly to us that Côll Nicholas Bayard is the cheif promoter of it and that it is of such a nature that if some example be not made his Majesty's Government here will be (as they present it) vile and cheap in the eyes of the people the account of which we humbly submitt to the consideration of your Lordships and are

My Lords

Your Lordships most
faithfull & obedient Servants

JOHN NANFAN
A. D. PEYSTER
S. STAATS
R. WALTERS
T. WEAVER
W. ATWOOD

New York
21 January 1702.

Lieutenant-Governor Nanfan to the Lords of Trade.

[New-York Entries, E. 127.]

To the R^t Hon^ble the Lords Commissioners for Trade and Plantations.

My Lords,

In obedience to your Lordships commands in your letter to me bearing date the 8^th of October last and arrived here by Capt^n Bond yesterday, I can assure your Lordships that the complaints of Captain Wake and his owners against our Collector M^r Weaver, appear to be only because of the faithfull discharge of his duty in seizing a ship that had not been registred before its trading hither and could not nor yet can make any proof of a Register till after its trading tho' upon a bond which they call a composition sufficient time had been given for such proof and the order of Commissioners of the Customes to which they refer, is so far from discharging the said ship that they say upon search of the general Register it appears that she was Registred the 10 August wherefore they order him to discharge her if there were no other cause, Whereas she imported goods the 17^th July before, But for the full justification of M^r Weaver in this matter, I must refer your Lordships to our Cheif Justices letters, the first of which I understand your Lordships have received since which as he informs me he sent one by Governour Penn as he now does another by M^r Glencross a passenger inclosed in a cover directed to his lady, by which I doubt not but your Lordships will be satisfied that the said ship has been justly condemned in the Court of Admiralty, Weake himself bought her at an undervalue at a publick Auction.

A Copy all the Judicial Proceedings against the ship from her first seizure to her condemnation is sent with the Seal of the Province affixed to M^r Champante the agent in order to defend against the appeal.

I take leave further to acquaint your Lordships that the Attorney General neither in this nor any other matter appears to have discharged his duty, whether from want of ability or will I need not determine but I am sorry to say there is reason to suspect both, I am

With great respect

Your Lordships most

faithfull & most obedient Serv^t

New York

24 January 170½

JOHN NANFAN

P. S. The two single Packets, not inclosed in the box directed to your Lordships by this Vessell but in Custody of the master, will inform your Lordships the particular grounds of the inclosed Proclamation which I have thought fit since to publish and now send it inclosed to your Lordships.

Mr. Samuel Bayard to Messrs. Adderly and Lodwick.

[New-York Papers, R. S. T.; R. 53.]

New Yorke 27 Jan^ry 170½

Gentl^n

You will undoubtedly by the arrival of this Shipp, Capt^n Rob^t Darkins comander have an account of the Passengers or otherwise of our present circumstances, the occasion of which were three addresses, one to the King, one to the Parliam^t and the other a congratulation to my Lord

Cornbury to be presented to him at his arrivall, discovery whereof being made a considerable time after the compleating, the Clarke & Messinger of the Councill had continually for several days Imploy to bring all sorts of persons, before the Councill, whereof some by promises of Rewards others by threats of Imprisonment, Clipping of eares &c were prevailed upon to sware agst the ritoers of [them] whereupon father myself and Capt^{n} Hutchings were summoned before the Councill and the two first bound over each in 1500 pounds Recognizance to answer to an Indictment to be filed agst us in the Supreme Court, and the latter sent to prison for not complying with the order of Councill of the 16th Inst^{t} coppy of the mittimus is herewith sent, whereupon an address was presented by M^{r} Rip Van Dam Capt^{n} Thomas Wenham, M^{r} Phillip French and father Bayard copy whereof is also here inclosed, which was so hainous a Crime, and some words therein construed to the worst, with the evidence of one Samuel Clowes who had seen the addresses at fathers house, that he was thereupon committed for high Treason and the three other Gentlemen some longer time given of consideration, the day before part of the Citty Militia being ordered in arives who are by turns releived keeping their Court a Guard just above the Gaole were the Prisoners are kept who are very troublesome neighbours, the pretence of keeping them in armes, is to keep the peace, the disturbers whereof God knows best, at the same time rumours being spread of no small number of the wealthiest also marked out for destruction for being subscribers to treasonable Papers, not above a day after the prisoners were in custody the Judge and several others moved for a special Court to make an end of the work begun whereupon many of the Cheife Merchants Intended to quitt the towne but it pleased God soe to order at the same time the councill was sitting (as I have reason to beleive) to order a special Court, that Capt^{n} Bond arrived when the River was full of Eyes[1] with the news of my Lord Cornburys Intentions to follow him within a week, which newes I beleive has been the saving of many a mans life, for noe special Court is more talkt of nor the other three Gentlemen any further molested, then only that the Attorney General shall be ordered to prosecute them, I am uneasie that I cannot send you coppies of the Addresses which make so much noise for the Copies I suppose are all destroyed, and the originals so secured that cannot at present send you any, but hope nevertheless, that you will by one way or other either come to the sight of the originals or copies by this ship, the substance of them are cheifly to sett us to Rights in the eies of the Court, that we are no Jacobites Pyrats or Ill men as represented but if in case his Maj^{ty} shall see cause to enter in a new Warr, that wee assure him to spend our lives and fortunes in his service—With a short relation of our Greivances, the crime which Father and I are bound over for, was that we were present at the Coffee house when the addresses were signed, The Attorney Generall was called in Councill at the examinacon of all those that were examined, @ he being of opinion that the Prisoners were not guilty of what they were accused withall nor deserved any confinement was obliged to give the reasons of his opinion under his hand, which when done was highly threatened to be suspended. I send you copy of the Act under which the Mittimus's were grounded. A Proclamacon was brought by the Clerk of the Councill to be printed wherein was related the Prisoners crimes at large taken out of the Mittimus's with a Relation in manner of an Act of Grace, that it was not the Intentions of the Government to prosecute all the ignorant people that were drawn to signe, but only prosecute the heads, but the Printer being out of Towne said Proclamacon was since the arrival of the Ship taken awaie againe from thence I heare that the Proceedings or such

[1] full of *Ice*.—Ed.

part as the Governour & Councill have thought fitt touching what acted by them are to be sent over under the seale of the Province, I would have much more to add If I had an opportunity of writing these lines on board of the Shipp at Sandie Hook, wherefore I pray you to Informe your selves by Captn Darkins & the passengers

28th January 170½ havg a days time I have received the enclosed out of Gaole; wherein I find fathers Information from whence ever he had it is not perfect for the three Gentlemen were at first three days time given to produce the Copies and after that six dayes longer, and then not bound over but only told that orders should be given to the Attorney General to prosecute them, when he had already before declared under his hand his dislike to all their proceedings and altho' the envy of his enemies are boundless neverthe less if Judge Atwood and Mr Weaver had not drawn in the rest we had not been in this condition. Exceeding great and harty paines has been taken to engage lawyers to prosecute the Prisoners but cannot hear of any that will be concerned in any manner of way, Even the Judges Son has taken a Fee for the Prisoners; I have been told by Gentleman who have discoursed the Judge concerning the mittimus's and the construction he puts on the words (Inciting the people to disown the present authority and cast of His Majtys Governmt) is the address to my Lord Cornbury and that he has incited the other three Gentlemen to signe the inclosed Petition to the Governr wherein according to his construccons they dissowne the present authority in these words (who we understand by certaine advice wee have received from England to be nominated by his Maty to succeed the last Erle of Bellomont as our Governour) as for the signing of the soldiers only Captn Matthews & two Serjts Craence and Richardson subscribed the addresses in presence of Father and myself at the Coffee House, the two first are Freemen and Innkeepers in this Citty and the latter lives and payes his rent for a house in Towne, who all came in of their own accord or perhaps being spoke to by any of the rest that had subscribed but never discoursed or sent for or Inticed by either father or myself, The Proclamation I made mention of before is published but not fixed up nor to be had at the Printers, I must beg your pardon that I cannot answer any of yours Received by Bond for I dare not keep any Letters or Papers in the house for fear of having the same seized and construed to our prejudice. I pray God to give us patience to wait our deliverance (and keep this letter out of the hands of my enemies) In whose wise Just and merciful dispensations I putt my confidence and subscribe myself as I am

Gentlemen

Yr most humble & most

affectionate Servant

SAMll BAYARD.

To Mr Henry Adderly
& Coll Charles Lodwick

Colonel Bayard to Messrs. Adderly and Lodwick.

[New-York Papers, R. S. T.; R 52.]

Gentlemen,

I suppose you'l have by this vessel from some of my friends a full account in what manner our former unhappy Breaches & Divisions in this Province are of late broken out to a more violent Degree and Flame than ever—Occasioned by meanes of three addresses lately signed

by a number of the Freeholders & Inhabitants of this Province, viz^{t} one to his Maj^{ty} another to the Parliament and another to the Lord Viscount Cornbury, prepared to be presented at his safe arrivall as our Govern^{r} within this Province, the coppies of which I suppose will be herewith sent you, to wçh I referr — The said addresses were signed by most all the Chief Merch^{ts} and Principal Inhabitants that are in opposition against the Leislerian party And wee had for soe doing the best advice and Councill of the experienced Lawyers wee have amongst us

But soe it is that our L^{t} Gov^{r} and Councill having discovered that such a matter was in hand were extreamly concerned and disgusted at it, @ thereupon used all the meanes possible to gett the same seized on, or to procure the copies of them, but the Papers being timely secured, to prevent any false construction that might be made upon any of the words, since Judge Atwood termed it Sedition and Rebellion. One Capt^{n} John Hutchins with myself and son were called upon it before the Govern^{r} & Councill, and after some hearings Hutchins committed to Gaole for Treason, without Bayle to be admitted until he should produce the Coppies of said Addresses, which they were pleased to call Libells, myself and Son were both of us bound over by recognizance each of us in a Thousand Pounds, with five hundred pounds surety to appear at the next superior Court in Aprill Term to answer an Indict^{mt} or Information then and there to be exhibited ags^{t} us: These Proceedings startled and vext all the Gentlemen that had signed them Addresses to a very great degree and some of them told the Govern^{r} & Judge as opportunity offered that they had signed those addresses, and would maintaine it to be their Right and liberty as free born subjects soe to doe: And it being considered by them that Capt^{n} Hutchins was to be admitted to bayle if he produced the Copies, which hee could not doe he having kept none, myself was thereupon p'swaded together with M^{r} Phillip French, M^{r} Rip Van Dam & Capt^{n} Thomas Wenham to address the Govern^{r} & Council which accordingly was done in his behalfe, owning that the coppies of s^{d} addresses were in our Custodies &c as you may find by a coppie I suppose will also be sent you. Whereupon myself was committed for High Treason as P^{r} Copy of the mittimus appears — And my other three côpanions time allowed them for Six dayes to consider, and then to produce the said copies upon pain of Imprisonment — I observed by what I was charged with before the Gov^{r} and Councill that my Cheif crime was grounded for addressing the Lord Cornbury (who I was told was not to come over for our Governor) which a disowning of the Present Authority and Casting off his Majesty's Government as it is now established — The third day after my committment, Capt^{n} Bond happily arrived who brought us the comfortable News that my Lord Cornbury was ready to come out for this Government at his sayling from England — And I understand since that my other three companions upon their last hearing two days since, who persisting in their refusal to produce the Copies, were only bound over to be prosecuted by the Attorney Generall — And that the Attorney General has given it under his hand to the Gov^{r} and Council that, for what he had seen sworn against my selfe, he found noe ground or cause of Commitment; a whole company of the Militia Guards our prison day & night, I suppose to give some colour, as if there was great danger of a rescue

Gentlemen, by these proceed^{gs} my friends may perceive In what manner the envy of the Leislerian party being now in the seat of Government here, have prevailed agst mee — To have that Act of Assembly twisted and strayned contrary to the true intent Genius or meaning of it, And only contrived to cut mee off which I'm sure they'l pursue for to effect to the very utmost if possible I having been all along as is well known the principal object of their Malice and chiefly markt out by them for destruction, God forgive them, As for myself I am not

conscious of any Guilt or Crime in the matter, being confirmed therein by all the Councill I yett have mett with, and perticularly by that Act of Parliament: an° primo W & M Intituled an Act declaring the Rights and liberties of the Subjects &c It is amongst other matters declared, That it is the rights of the subjects to petition the King, and all comitments & prosecutions for such petitioning are illegal.

Gentlemen I know that this my misfortune will be a great surprisall to y^r^ selves and many of my friends in England, and therefore have thought it needfull to give you this account of the whole matter, which I desire you'l communicate & present to the rest of my friends with you, and were else you may think it proper or of Service; I thank God for his gracious support and assistance in an extraordinary manner; and tho' it shall please Providence to suffer me to be made a sacrifice to their canckered envy and hatred; I shall alwaies endeavour to submit my selfe soly to all his divine most wise just and merciful dispensations, And soe I take leave with my hearty thanks for your former manifold kindnesse & favour and to subscribe myselfe as I am

Gentlemen

From the Gaole in New Yorke this 28^th^ January A° 170½

Your very affect^t^ Friend & obedient Servant

N Bayard

M^r^ Henry Adderly and Coll Charles Lodwick

Lords of Trade to Lord Cornbury.

[New-York Entries, E. 79.]

To the R^t^ Hon^ble^ the Lord Viscount Cornbury.

My Lord,

Whereas your Lordship is commissionated to take upon you the Command of the Militia of East and West New Jersey, and to be Vice Admiral of the same; And those Colonies having been and continuing to be without any settled Government, your Lordship is to cause the High and Mighty Princess Anne to be proclaimed Queen of England, Scotland, France and Ireland and of all the Dominions thereu[n]to belonging &c in the most Solemn manner and most proper places of those Colonies, to the End there may be no failure there in the speedy acknowledging her Majestys Title and Authority, and for your information, we further send you.

Her Majestys declaration at her first sitting in her Privy Council
Her Majestys Proclamation for continuing all officers &c.
The Address of the House of Lords to her Majesty
The Address of the House of Commons to her Majesty. and
Her Majesty's speech to both Houses of Parliament

You are upon this occasion to assure all Her Majesty's subjects in those Colonies of her Majesty's especial care and Protection and to exhort them to do on their parts what is

necessary for their security and defence in the present conjuncture. and you are to return a speedy account of your proceedings therein, We are

My Lords
Your Lordps most
humble Servants
STAMFORD
LEXINGTON
Wm BLATHWAYTE
JNo POLLEXFEN
MAT: PRIOR.

Whitehall
March the 20. 1702.

Messrs. Adderly and Lodwick to the Lords of Trade.

[New-York Entries, E. 82.]

The Memorial of Henry Adderly & Charles Lodwick Merchant in London on behalf of Cóll Nicholas Bayard and others Correspondents in the Province of New Yorke, humbly presented to the Rt Honble the Lords Commissrs of Trade and Plantations.

It is needless to remind your Lordships of the great Hardships which the above named Cóll Bayard was exposed to during the time that Jacob Leysler took upon him the Government of that Province how he was imprisoned kept in Irons & exposed as a shew, and carryed about in a chair at the Pleasure and for the Diversion of a tumultuating mob, to the great danger of his life and how he was robbed of a great part of his estate upon a groundless pretence that he was disaffected to the interest of the late king who was the glorious instrument of our deliverance from Popery and Slavery when in the mean time the said Cóll was known to be a zealous Protestant. and gave advice to turn all the Papists out of their posts the better to forward the Revolution there, only desiring that the Protestants then in the Government might be continued in the exercise thereof for the publick peace till orders should come from England directing what further was to be done, which was an advice very proper in such a dangerous time as that was for a transmarine Province intirely depending upon the English Government.

Your Lordships have been also informed of the hardships the said Cóll Bayard hath met with Since, which forced him to make his retreat to England where he acquainted your Lordships with his sufferings and had your Lordships direction to return home with a promise of protection against the like inconveniences for the future.

Yet since the death of the late Governour the old ferment is renewed to a greater degree than ever through the encouragement given to the factious by one Atwood Cheif Justice and one weaver Collector of the province and one of the Council, who were promoted to those posts by the interest of the late Governour

Those men as we are informed by a letter marked T the excited the faction by railing accusations against the Parliament and some particular members thereof, saying that a reconciliation was incompatible and that my Lord Cornbury would never come over

Having thus prepared their party and to continue their power to oppress such as were objects of their malice they prevailed with the Lieutenant Gov^{r} to call an Assembly of the Province resolving before hand to use all their cunning to get them rightly modelled to serve their purposes.

And therefore when they perceived that a return was made of ten members who were not of their party after they had chosen an Alien for their Speaker, they expelled two upon pretence of non-residency in the places for which they were return'd and the other eight who with those two objected against the speaker as not being a denizen were also expelled upon pretence of their not giving their attendance which they could not do for the reasons assigned in their petition N° 11 and the votes of the Assembly August 20, 1701.

Then having directed Writs to make new Elections in place of the expelled members, they proceeded to do business as a House, althô' they were but eleven in number (their Speaker included) and continued to consist of that number only and no more from the 23 of August to the 15 of September and passed several bills in that time.

On the 13 of September three new elected members appeared but refused to act for the reasons mentioned in their Remonstrance N° 12 for which they were likewise expelled the house and ordered to be prosecuted by the Attorney General as appears by the votes of the 22 of September

Those things with the other arbitrary proceedings of the House mentioned in their Votes and the Largesses to the Lieutenant Governour and Justice Atwood to keep them firm to their party did so alarm the wealthy inhabitants and other honest English spirited men in the Province that they prepared three Addresses one to the King, one to the Parliament, and one to my Lord Cornbury setting forth their greivances under the present Administration.

The Council getting notice hereof where so nettled thereat, that Côll Bayard with his son and one Captain Hutchins were summoned to give an account of those Addresses and the two first were bound in recognizances of 1500^{li} each to answer to an indictment to be filed against them in the Supream Court of Judicatory and Captain Hutchins was committed for not producing those Addresses all this is matter of fact as appears by letter marked 7 and paper N° 1. Then Côll Bayard, Rip Van Dam, Phillip French and Thomas Wenham addressed the Lieutenant Gov^{r} and Council praying that Captain Hutchins might be set at liberty if they had no other thing to charge him with than his not producing the Addresses. Because they were not in the custody of the said Hutchins but in theirs, and they hoped to make good the legality of them as appears by paper N° 2 which so hightened the displeasure of the Council (having construed some words of the said Address in the worst sense) that the said Côll Bayard was committed for high Treason as appears by papers N° 7 and N° 3 and order were given to the City Militia to keep Guard (and to relieve one by companies) above his Chamber in the prison to prevent a rescue and those Guards were continued at the time our last letters were dated.

The Act of the Assembly upon which they committed those two gentlemen is contained in Paper N° 4 the other three which joyned with Côll Bayard in the Address had first three days time given them then six more to produce copies of the said Addresses and at last were told that orders should be given to the Attorney General to prosecute them,

After this the Council ordered a Proclamation (whereof we have a printed Copie marked N° 9) to quiet the minds of the people who were much disturbed at those Proceedings that so they might with the greater security proceed to the intended Tryal, and (as we beleive) Execution of Côll Bayard but this Proclamation was suppressed upon the arrival of a ship from England with an account that my Lord Cornbury was ready to saile in a few days

concerning whom they constantly afirmed that he would never come over Governour. Since the arrival of this ship they talk no more of a Special Court to try the prisoners.

Yet considering the directions we have received from Côll Bayard and other Gentlemen in the Province and not knowing what accidents may happen to my Lord Cornbury by the way and that the said Côll Bayard is apprehensive of the most cruel effects of rage against his person, We have laid the Memorial before your Lordships humbly intreating you would speedily put a stop to those violent and unaccountable Proceedings which are carryed on purely to gratify the Revenge of a restless faction in that Province

We presume likewise to acquaint your Lordships of the damage done to us in our commerce with those men and our other Correspondence who dare not keep or answer our letters lest they should fall into the hands of their Enemies and be misconstrued to their hurt as appears by M^{r} Bayards letter N^{o} 7 towards the close thereof.

Of those treasonable Addresses (as they have been pleased to call them) we would get no copies for the reasons mentioned paper N° 7 in which we have this account that they were designed cheifly to set those people right in the Eyes of the Court that they are not Jacobites, Pirates or ill men as they have been represented and offering their lives and fortunes in the Kings service with a short relation of their greivances

And that they are well affected to the Government is manifest by the Address to the King against the Pretended Prince of Wales &c which is marked number 9. and whereof we have the orriginal

The Attorney General of the Province can find no Treason in Subjects Addressing for releif of Greivances for which he is out of favour and threatned to be suspended.

And we hope your Lordships will find nothing in those Addresses inconsistent with the duty of Loyal subjects but will perceive that the people's oppressions have been insupportable and their Enemies malice insatiable and therefore we humbly pray your Lordships will give speedy releif to our Friends and to our selves who are sufferers in our Trades as they are in their persons.

16th April, 1702.

Colonel Bayard to the Lords of Trade.

[New-York Entries, E. 167.]

To the R^{t} Hon^{ble} the Lords Commissioners for Trade and Plantations.

May it please your Lordships

The favours which I received from your Lordships when I was lately in England, together with the pressures of our present most unhappy circumstances and particularly those as do relate to my self encourage my self to apply to your Lordships moreover since I expect that some of my ill-wishers now here at the helm of Government may as formerly has been done misrepresent some matters lately happened, by which measures they have brought myself and family by colour of law and justice to the Brink of Ruine without any regard to my faithfull services to the Crown & Province neare the space of 35 years, as all indifferent good men will

certify that have been acquainted with my life, Conversation and Behaviour and the stations I served in But so it is may it please your Lordships that only the unhappy divisions by which I have suffered very much are the cheif and only cause of these our only New Calamities which if not soon healed by the prudence of a Governour, or some directions from his Majesty will ever prove very destructive to this hopefull bleeding Province. And thô some young men and strangers endeavour by their representations to magnify themselves and lessen their neighbours usually called the English party; yet I can assure your Lordships that by the 47 years observation and experience I lived here, I know 'em to be the more numerous by much and are as hearty Protestants and as forward and Zealous for his Majesty's service as any of the others can boast of, which I refer to what any of the preceeding Governours can say on that account Now to give your Lordships some breif account of our New Troubles I beg leave to mention what has been the rise and occasion of the same.

It was about the latter end of, the last summer that we had the news by severall letters from England, that the Lord Viscount Cornbury was appointed by his Majesty to succeed the late Earle of Bellomont to be Governour of this Province; But the said news was soon contridicted by letters said to be received that his Lordship was not like to come being otherwise provided for. This occasioned that some of his Majesty's good and faithfull subjects in this province who supposed themselves to lye under some, hardships without hopes of releife here, were incouraged by the best Council they had that it was lawfull for the subject to Petition the King and Parliament to be releived therein. And in order therunto two addresses Viz^{t} One to his Majesty and another to the Parliament with Duplicates were drawn up together with a congratulation. to the Lord Cornbury, to be delivered at his Lords^{ps} safe arrival And were signed (without any the least disturbance whatsoever) by most of the principal merchants and many of the Freeholders and inhabitants within this City and amongst the rest by two members of his Majestys Council and several Justices of the Peace and the two first of the said addresses were delivered to one Captain Darkins master of a Vessell then bound for England about 3 weeks before it was heard our Lieutenant Governour and Council had any account thereof Who at the first discovery seem'd to be much disturbed and offended about it and great threatnings were made to prosecute the subscribers for sedition, Rebellion and High Treason: Which so frightend some of them that they secured both the originals and copies, for fear of some wrong construction might be made upon any of the words or meaning of the said addresses, Whereupon my self and one Alderman John Hutchins were by the Lieutenant Governour and Council committed for high treason and some others ordered to be prosecuted by the Attorney General, and a Special Commission issued for our Tryals. And though I made application first to the High Sheriff and afterwards by Petition to the Court that I might have an impartial English Jury allowed me upon my Tryal; Yet notwithstanding I had put upon me both a grand and Petty Jury, some of em Aliens, and the rest of them either very ignorant in the English Language or my implacable enemies on account of the said unhappy divisions and very many of them a party concerned against me, in relation to the Greivances in the said Addresses complained of.

I dare not trouble your Lordships with enumerating the hardships I met with in the whole course of the said Tryall, only beg leave to mention that the whole substance of what was sworn against me (as will appear by the evidences then and there at my Tryal taken) to be as followeth Viz^{t} That I had been present at the Coffee house at the signing of the said Addresses by several merchants and Inhabitants and that one of them had signed at my own house and that I told him it was for the good of the country. Item, that I had brought some

papers being the said Addresses at the house of Alderman Hutchins. And lastly, That I together with Mr Rip Van Dam, Mr Phillip French and Captain Thomas Wenham had prefer'd a Petition to the Lieutenant Governour and Council in which was this expression Viz^{t} (and another Address to my Lord Cornbury whom we understand by certain advice we have received from England to be nominated by his Majesty to succeed the late Earle of Bellomont as our Governour) which said expression was construed, at my tryal, to be disowning and casting off the present Authority here established by his Majestys Commission to our Lieutenant Governour Nanfan

Now for this may it please your Lords^{ps} I had Sentence of death pronounced against me, without any hopes of releif but by being repreived from the execution till his Majesty's pleasure should be known therein And in order thereunto I applyed my self in the most humble manner to his Honour the Lieutenant Governour for the same, and by six several petitions humbly submitted my self to the said sentence But were all of them from time to time rejected because I did not in them voluntarily acknowledge myself to be guilty of the crime. with out which I was told no Repreive was to be granted; Which I could not do, knowing myself to be innocent and so sin against god and my conscience I was put in irons for several dayes And by special command forbidden the speech sight or advice of any of my friends and particularly those of my Son and other relations. And tho' many intercessions were made by several of the neighbour Governours and many other Gentlemen of honour and worth Yet none could obtain the said Repreive, unless I did confess myself to be Guilty as aforesaid So the day of my execution was prefixed and notifyed to myself accordingly Which occasioned, to prevent the fatal stroke, that a petition was drawn up for me to sign in which it was exprest that I owned myself to be so unhappy as to sign the said Addresses, and had encouraged some others to sign the same, And that I was sorrowfull for the offence which by the said sentence I did find I had given, and beg'd pardon for it. Whereupon a message was sent me, I should have the said repreive granted provided I raz'd out WHICH BY THE SAID SENTENCE together with the word, GIVEN, and interline in liew of that word, COMMITTED which latter (with much regrett and being extreamly disturbed and almost distracted in my sences) I was prevailed to do, but not the former; because I told 'em if it was not for the said sentence I was not sensible of any ofence I had given or committed Whereupon I had at last the said Repreive granted and soon after my said petition was by order printed and construed that I had acknowledged my self to be guilty of the crime of High Treason.

May it please your Lordships, I beg your Lordships pardon for this my freedom of troubling your Lordships and do further implore your Lordships bounty and goodness in the most favourable manner to represent unto his Sacred Majesty the hardships and severity of your supplicants case and circumstances together with his former manyfold services and sufferings in order for the speedy obtaining his Majestys gracious pardon Which I have desired some of my freinds in London to sollicit And your Lordships supplicant shall ever pray &c. and remaine

May it please Your Lordships
Your Lordships most humble
& most obedient Servant
N. BAYARD

New York Prison
24 April 1702.

Sir Edward Northey to the Lords of Trade.

[New-York Entries, E. 94.]

To the R^t^ Hon^ble^ the Lords Commissioners for Trade and Plantations.

May it please your Lordships,

In obedience to your Lordships commands requiring me to give my opinion whether the Warrants hereunto annexed be legal, and whether the crimes charged on the persons therein named or on either of them, do amount to high Treason within the meaning of the annexed Act of the Assembly of New Yorke, I have perused and considered the Warrants and the Act of the Assembly and am of opinion that the warrants are sufficient in form to charge Nicholas Bayard with High Treason within that Act and John Hutchins with a misdemeanour and that there is as much certainty in them of the nature of the Crimes Charged as is necessary in warrants of commitment though there must be much greater certainty in the indictments that shall be preferred against them.

I presume the evidence the Council of New York had against these men is transmitted to your Lordships and with great submission to your Lordships I think the question is not, whether the warrants of commitment be formal but whether the evidence given to the Council be sufficient to charge them with the Crimes mentioned in the Warrants, of which I not having had any account I cannot give any opinion; this only I observe that it appears by the warrant for committing Hutchins that the Council required him to produce a libell he is charged to be author of which was to accuse himself and his refusing to produce it is alledged as part of his Crime.

All which is humbly submitted to your Lordships great wisdom

EDW. NORTHEY.

April 25. 1702.

Lords of Trade to the Earl of Manchester.

[New-York Entries, E. 134.]

To the R^t^ Hon^ble^ the Earl of Manchester.

My Lord,

We have lately received letters from the Government of New Yorke concerning persons who have been committed for Treason and misdemeanours in that Province, and the correspondents of the persons accused having appeared before us with complaints against the proceedings of that Government, we are of opinion that it is a matter of such consequence as is proper for her Majesty's hearing in Council and have acquainted the complainants therewith. We are

My Lord

Your Lordships

Most humble Servants

STAMFORD
ROB: CECIL
PH: MEADOWS
JOHN POLLEXFEN
MAT: PRIOR

Whitehall
May the 1. 1702.

Lord Cornbury to the Lords of Trade.

[New-York Entries, E. 186.]

To the R^t^ Hon^ble^ the Lords Com^rs^ for Trade and Plantations.

My Lords,

Being arrived here this day, and being informed that there is a person going immediately Post to Philadelphia in order to imbark for England I would not slip this opportunity of acquainting your Lordships that after a passage of seven weeks, I arrived here this day at eleven oclock in the forenoon and having published my commission at the Fort and at the town hall I took the oathes and swore the new Council appointed in my instructions and ordered two proclamations to be issued forthwith One to declare that all Officers civil and Military should hold their imployments till further Order, And the other to disolve the General Assembly; which I find has sate a little while. I find at my coming hither great complaints of hardships suffered by many people; how well they are grounded I am not yet able to inform your Lordships but I shall not faile of sending you a full account by two ships which will be ready to saile from hence for England in ten days time. I find here Côll Bayard under sentence of death for Treason, what the Treason is I shall inform your Lordships by the next. I find likewise that many of the most eminent merchants here were fled into the Jersey's some of which returned now upon my landing. By the next your Lordships shall be fully informed of all these matters, I am

My Lords

Your Lordships

Most faithfull humble Serv^t^

CORNBURY

From Fort William Henry at New Yorke May the 3^d^ 1702.

Attorney-General Broughton to Secretary Popple.

[New-York Entries, E. 189.]

To M^r^ Popple

Sir

I heartily thank you for your kind remembrance of me in your letter to our Cheif Justice and should have been glad to have had the further satisfaction of knowing whether you have had any from me to your self and Lords. I perceive they are well pleased with the Judges account of his own and other proceedings here, and the credit thereof has gained him another £70 per annum for 2 years or £150 if he leave the province sooner, by Act of General Assembly past after my Lord Cornbury was arrived here within our Port whither he came (thanks be to god for it) very safe the last of the last month at night with the Merchants ship with him the ship of stores came in the day before. His Excellency has published his Commission taken the usual oaths and given the same to as many of his Council as are in Town of which beyond my expectation I have the honour to be one and find my self happy in his Lordships favour who is I perceive fallen into very right notions of the people and the Government here. And

I doubt not but by his great Wisdom and Justice adapt for Government (and are conspicuous in his excellency) he will in a short time render this Province and the affaires and Trade thereof much more easy and flourishing than of late they have been I am credibly informed the Cheif Justice hath wrote Complaints against me to your Board; I am not yet prepared to lay those matters before them, which I have in prospect but do propose (God willing) to send them in a little time such a true state of things here, as shall be a sure foundation for their Lordships to act upon, who I know value no particular interests but the good and welfare of the Publick, in such a way as may most tend to his Majestys Service I therefore most humbly begg of their Lords^{ps} whatever is come to their notice against me they will favour me so far as to suspend their Judgments thereof till they see how I can justify and approve my self to my Lord Cornbury in the duty of my place and office; The neglect of which has been so powerfully urged against me by the Cheif Justice here, that I had great difficulty to avoid a suspension by the late Lieutenant Governour, besides other indignities cast upon me by his contrivance or connivance much dishonouring the Character and Commission I bear under his Majesty in receiving a Presentment by the Grand Jury at Our Supreame Court for neglect of my duty whilst I was actually in Court attending his Majesty's Service, and in ordering M^{r} Sollicitor General to put the same into a formal Indictment against me and for no other reason that I know of but because I was really ill a little before that time and could not appear to give countenance to some violent prosecutions he was then upon Which their Lordships will hear more of in a little time. I would not willingly prejudice the Gentleman tho' he hath been very hard upon me and all mine ever since we left England. So leave it to your discretion whether to impart it to the Lords of Trade or not as my own interest and safety requires. Not doubting but you will do me Justice herein, else should have wrote immediately to their Lordships now to whom pray give my most humble duty and assure them of my constant endeavours for his Majesty's Service which with my most humble Service to your selfe is all at present from Sir

Your most faithfull humble
Servant
Sa: Sh: Broughton

New York in America
4th May 1702

Proceedings of Chief Justice Atwood and of the Assembly of New-York.

[New-York Entries, E. 194.]

Abstract of letters from New Yorke date 4 May 1702, relating to the Proceedings of M^{r} Attwood Cheif Justice, and of the Assembly there.

Côll Bayard with great difficulty and after seven several humble Petitions in the last whereof he was forced to acknowledge himself guilty (the day of his execution being appointed and notifyed to him) obtained a Repreive, having for some days before been loaded with Irons.

On the first Tuesday in April the Supream Court sat as usual. Samuel Bayard Côll Bayard's son was with his father taken up and bound in Recognizance of 1500£ to appear which he did the first day of the Court and before the Grand Jury were sworne pleaded the Proclamation the Governour had issued out promising to prosecute none but the four therein named but to no purpose unless he would make an humble Petition acknowledging his crimes which the Judge told him two had sworn Viz^{t} "That they saw him in the Coffee house room when they signed the Addresses And that he advised his father not to own himself guilty of High Treason Whereby the Judge told him he was become an Accessory and Abettor to the Treason, and was as guilty as his father and lyable to be prosecuted for it. He waited several times but at last got admittance to the Lieutenant Governour who thô he pleaded the benefit of the Publick faith in their Proclamation was told it was to no purpose unless he acknowledged himself sensible of his offences, upon which he should be discharged which he did and after waiting on the Court 2 or 3 days longer, the Judge told him he was discharged because he had confest and begged the Governour pardon.

The Court in the mean time proceeded A Grand Jury of all the Dutch (as for Côll Bayard) sworne. They brought in four presentments one against M^{r} Broughton the Attorney General for neglecting his duty in prosecuting the two Criminals Côll Bayard and Hutchins who were condemned one against M^{r} Thomas Wenham for high misdemeanour for being one of the four who had subscribed a Petition to the Lieutenant Governour saying my Lord Cornbury was to succeed the late Earle of Bellomont and refusing to deliver Copies of the Addresses one against M^{r} Philip French for the same offence Another against Roger Baker saying the 5 November last the King was made a nose of Wax and no longer King than the English please. M^{r} Wenham and French could not come to tryal because they were absconded for a considerable time before. Roger Baker came upon tryal with a packt petty Jury according to custome whereof four happening to be absent a tales was ordered And althô there were then spectators in Court above 30 Englishmen and he told so, yet the Sheriffe went out and brought in three Dutch men of their party, and finding no more he was forced to take one John Ellis an Englishman then in court. Three witnesses were sworn the first said, he Baker spoke the words; but that they were all very drunk it being Holy-day. The other two said they were always present with them, but heard no such words nor nothing like it, that they were all drunk but the other witness to that degree he could not stand. Judge Atwood gave charge to the Jury to bring Baker in Guilty: the Jury went out and stayed all night then came into Court and deliver'd their verdict Not Guilty; at which Judge Atwood was very angry refusing to take their Verdict, sent them out again, when after 6 hours they returned again with Not Guilty; At which the Judge grew very passionate threatning them several times. They were sent out three several times more and persisted in Not Guilty: Upon which the Judge threat'ned to imprison and fine them. That so scared the 11 Dutch, that in open Court being sent for (it being about an hour before the Court was to determine) were demanded why they were not agreed, and who it was that would not agree to find Guilty; Answer was made John Ellis upon which the Judge fell upon him with such menacing language in open Court and a considerable time hectoring and threatning him, he so managed him too that at last he gave his consent in open Court, where Baker was recorded Guilty and fined 400 peices of Eight and to remain in Custody of the Sheriffe till his fine was paid and after that until he made such acknowledgment as the Governour should think fit.

A Court of Exchequer are now sitting to condemn Mr Philip French £1000 on a Bond he formerly gave to return Certificate of the enumerated commodities shipt on board a Brigantine one Wright master which Vessell was lost at Sea.

A Jury of inquiry have returned what estate Mr Livingston has in this country in order to a Seizure for money said to be owing to the King which the present Assembly the present Council and the late Lord Bellomont made up his account and gave him Bills for; But now its said the have found out he has cheated them for which his Estate must be seized. On the primo May we had the certainty of my Lord Cornbury's arrival since which our Assembly have sat night and day without any intermission and in great hurry have finished and published the day my Lord came up, Seven Acts

One to pay Leislers Debts..... £2700

One to outlaw Mr French and Mr Wenham

One to add five Members to the Assembly (in those Counties where they hope they may carry it) with a clause that it shall not be in the power of a succeeding Governour to add any more members or diminish those that are.

One for regulating the Election of Aldermen (to perpetuate their tirannical Government)

One to continue the additional Revenue two years longer. Out of which to pay £200 per an: to the Lieutenant Governour Nanfan, and £75 per annum to Judge Atwood and in case they should be superceded, then each to receive £140 and £50 per annum to Mr Champante to be their agent in England.

Two other Acts to tye up the hands of the succeeding Governour and to make him their Slave

On the primo May were the original Addresses for which Côll Bayard and Captain Hutchins were condemned delivered on board the Jersey to my Lord Cornbury by several Merchants and others that were in exile. My Lord published his Commission during which time and afterwards Our Assembly continued sitting but are since dissolved by Proclamation

As soon as the Governour had passed the Seven Acts, the Secretary was sent for to affix the Seale of the Province to them (a thing never done before and only when the Acts are ingrossed in order to be transmitted to England) the Secretary not coming immediately was confined and would have been suspended, had not my Lord arrived as also the Attorney General.

Lord Cornbury to the Lords of Trade.

[New-York Entries, E. 164.]

To the Rt Honble the Lords Commissioners for Trade and Plantations.

My Lords,

In my last of the 3d instant which I sent by the way of Philadelphia to acquaint you with my arrival here I acquainted you that I found this Province in some disorder within very few days after my arrival here, I found those disorders to be much greater than at first I apprehended them to be I was in hopes by this time I should have been able to have given your Lordships a full account of them, but the proceedings that have been had here are so various and so long that it was impossible for me to get such a perfect account ready to send by this opportunity as

would be fit to lay before you, but the Advice Frigat will be ready to saile from hence for England in three weeks time by which your Lordships shall have a full account of all matters here. In the mean time I take the liberty to acquaint you that I find the Soldiers here very ill in cloathes and arms. I find the Fort here every much out of repaire. But of all these things your Lordships shall [have] particulars sent by the Advice. I find here Côll Bayard and one Alderman Hutchins under Sentence of death for high Treason and having many complaints made to me of hardships put upon them at their tryal and of several irregular proceedings against them I order'd all those proceedings to be laid before me and I find that the Treason alledged against them is the signing and procuring others to sign an address to his Majesty another to the Parliament of England and another to me to be delivered at my arrival. These proceedings were managed with so much disorder that it is pretty difficult to get a true account of them especially till Mr William Nichols comes to town who is now in Connecticut but is expected here tomorrow As soon as he come I will have a full account of those proceedings to send to your Lordship. I have ordered all other accounts which you ordered me to send over to be prepared [for] that purpose and I shall not faile from time to time to acquaint you with all proceedings here and I intreat you to beleive that I shall punctually follow my instructions and shall use my utmost endeavours to compose the differences here. I wish I may succeed in it. I find all the English Merchants here and the Cheif of the Dutch and indeed the generality of the people here very desirous to be quiet; there are some troublesome spirits here that have a mind to set the rest in a ferment if they can I do not question but I shall prevent that in the mean time I avoid naming any body till I have further satisfaction because I would carefully avoid making any misrepresentation; for as I came a stranger hither, so I am sure I have no spleen to no man; but I shall always think it my duty to give your Lordships a true representation both of persons and things. I have sent up to Albany to have an account of the condition of that place, which I fear will not be a very good one. I have acquainted all the Governments upon the Continent of my arrival here, and I shall do the same to the Islands as soon as may be. No ships are come hither from England since I came hither. the small Pox is very much here, but except that the Province is very healthy I am

My Lords

Your Lordships most
faithfull humble Servant
CORNBURY

New York
May ye 18. 1702.

Lord Cornbury to the Lords of Trade.

[New-York Entries, E. 218.]

To the Rt Honble the Lords Commissioners for Trade and Plantations

My Lords

I trouble your Lordships with this only to acquaint you that by the many Complaints the people of this Province well proved against them I have thought it convenient to suspend from the Council Mr Atwood, Mr Weaver Côll Depeyster, Dr Staats and Mr Walters their behaviour

at large your Lordships shall have by Capt: Caldwall Commander of her Majestys Ship Advice. In the mean time I send your Lordships this short account and to acquaint you that being informed the said Weaver had a design to go out of this Province, I order'd him to be seized and required him to give Bail for his making up his accounts which he did in the penal Sume of four thousand pounds; but two or three days afterwards he ran away I have issued a Proclamation with a Reward for the apprehending of him I hope it will have a good effect I am

My Lords
Your Lordships most
faithfull humble Servant
CORNBURY

New York
June the 16. 1702

Lord Cornbury to the Lords of Trade.

[New-York Entries, E. 202.]

To the R^t^ Hon^ble^ the Lords Commissioners for Trade and Plantations.

My Lords

Your Lordships letter of the 19 of March last (by the care of Coll Blakiston) came safe to my hands on Wednesday the 17 of this instant June and in it I find a letter from the Lords of her Majesty's most Hon^ble^ Privy Council commanding me to proclaim her most Sacred Majesty Queen Anne in the Province of New York and East and West New Jersey In pursuance whereof on Thursday the 18 instant having drawn out the forces there, I did in the presence of the gentlemen of her Majestys Council attended by the Mayor Aldermen and Common Council the Clergy and I think I may say all the Gentlemen and Merchants of the City of New York cause Her Majesty to be proclaimed Queen of England, Scotland, France and Ireland, Defender of the faith, Supream Lady of the Province of New York and Plantations of the same according to the directions I had received from the Lords of her Majestys most Hon^ble^ Privy Council. The solemnity was performed with all the duty and respect imaginable to the Queen and the people shewed all the chearfullness and Loyalty that could be wished for or desired from good subjects upon that occasion; and I hope your Lordships will pardon me if I take the liberty to assure you that the Gentlemen of the Province of New York, are unanimously ready to sacrifice all they have for the service and in the defence of the Queen. Indeed they have suffered great hardships and wrongs through the wicked practices of M^r^ Atwood and M^r^ Weaver who have made the divisions among the people of New Yorke much greater than ever they were and would have made them past cure had they gone on a little longer but I will not trouble your Lordships any longer upon that subject now having written to your Lordships from York by the way of Boston with relation to those affaires On Friday the 19^th^ instant I went over the waters into the Jerseys and went directly for Burlington which is the cheif town of West Jersey, but the wayes were so bad I could not get thither till Sunday night late. Coll Hamilton to whom I had write from New York met me in East Jersey and conducted me to Burlington where he had (being Governour of the Jerseys for the Proprietors) assembled the Cheif Magistrates and Inhabitants of the Place in order to proclaim her Majesty which was

done on munday at eleven a clock, where the people shewed great marks of duty and affection to the Queen. I did intend to have gone immediately to Amboy which is the Cheif town in East Jersey, to proclaim her Majᵗʸ there but the floods have washed away the bridges so that till the waters are fallen, it will be impossible to travell. I hope two or three fair days will make the wayes passable to Amboy, to which place I will repaire the moment it is possible, I do not doubt but we shall have a good appearance there likewise. Cóll Hamilton who intends to conduct me hither having sent beforehand to give notice of my coming In the mean time I have taken this opportunity to come twenty miles down the River De La Ware, to see this place where I find a ship just ready to saile for London. I thought it my duty to take this opportunity to acquaint your Lordᵖˢ how far I have proceeded in obedience to your commands I shall return this Evening to Burlington and as soon as possible go to Amboy, and from thence to Yorke, from whence I will send your Lordships a farther account in the mean time I remain

My Lords

Your Lordsᵖˢ most obedient

Philadelphia faithfull humble Servant

June the 23. 1702. Cornbury

Order of the Queen in Council admitting the Appeal of Colonel Bayard.

[New-York Entries, E. 181.]

At the Court of St. James's the 2 July 1702.

Present— The Queens most Excellⁿ Majᵗʸ in Council.

[Ld Arch Bᵖ of Canterbury	Earl of Pembroke	Mʳ Granville
Lord Keeper	Earl of Burlington	Mʳ Vice Chamberlain
Lord Treasurer	Earl of Radnor	Mʳ Secy Hedges
Lord President	Earl of Nottingham	Mʳ Chancʳ of yᵉ Excheqʳ
Lord Privy Seal	Earl of Rochester	Mʳ Chancʳ of yᵉ Dutchy
Duke of Schonberg	Earl of Abingdon	Lᵈ Cheif Justice Holt
Lord Great Chamberlain	Earl of Ranelagh	Maʳ of yᵉ Rolls
Lord Chamberlain	Lord Bᵖ of London	Lᵈ Cheif Justice Trevor
Earl of Oxford	Lord Dartmouth	Mʳ Smith]

Upon reading this day at the Board a Report from [Mʳ] Attorney General and Mʳ Sollicitor General in the words following Vizᵗ

"To the Queens most Excellent Majᵗʸ

"May it please your Majesty

"In Obedience to your Majesty's Order of reference We have considered of the matter in "the annexed Petition and have heard the Petitioners on the behalf of Colonel Nicholas "Bayard and perused several letters received from New Yorke by which it appears that the

"Proceedings against the Côll are very extraordinary and may be proper for your Majesty's "consideration, And we are therefore humbly of opinion that it is reasonable for your Majesty "to give leave to the said Côll Bayard to be heard before your Majesty in Council touching "the Treason objected against him and to that end to give leave for him to appeal from the "Proceedings in New York and that the minutes of the evidence taken by the Officer of the "Court there (if any such be) may be transmitted with the Record, that thereby your Majesty "may be informed of the evidence that was given against him which will be of use to incline "your Royal Mercy.

"All which is humbly submitted to your Maj^{ys} Royal Wisdom.

"Edw^{d} Northey

"20 June 1702. "Sim: Harcourt

Her Majesty with the Advice of her Privy Council approves the said Report and is pleased to order as it is hereby ordered that the said Nicholas Bayard be admitted to appeal to her Maj^{ty} at this Board from all Proceedings against him in the Courts of New York relating to any of the Crimes or offences[1] for which he stands accused or condemned there, and that he be admitted to Baile upon[2] sufficient security to answer before her Majesty at this Board at what[3] shall be objected against him, and to abide by her Majestys Determination therein, And her Majesty is further pleased to order that Authentick copies under the Publick Seal of all Proceedings against him in New Yorke and of such examinations or Minutes of evidence taken therein be transmitted to this Board, to the End her Majesty may be fully informed in the Petitioners Case whereof the Governour and Council of New Yorke and all others whom it may concern are to take notice and Govern themselves accordingly.

[John Povey.][4]

Lords of Trade to Lord Cornbury.

[New-York Entries, E. 133.]

To the R^{t} Hon^{ble} the Lord Viscount Cornbury.

My Lord

We have received your Lordships letter of the 18 May from New York which mentions a former of the 3^{d} sent by way of Philadelphia, which being not come to Our hands, We desire your Lordships to send constantly Duplicates of whatsoever you may write or transmit to us relating to the affaires of the Province.

We are very glad to understand your Lordships safe arrival there, which as it will have put a stop to those violent proceedings which were then on foot, So we doubt not that your prudent conduct will greatly tend to the composing of all the heats and annimosities that have so unhappily disturbed the peace of that Province.

[1] Criminal offences. *New-York Colonial Manuscripts*, XLV. [2] giving sufficient, &c. — *Ibid.* [3] *to* what. — *Ibid.*

[4] The words within Brackets, in the preceding Document, are from the Official copy in *New-York Colonial Manuscripts*, XLV., in which will be found, also, a like order in reference to Alderman Hutchins. — Ed.

We cannot but advise your Lordship to have that principally in your endeavours and shall expect the account which your Lordship promises us of what may relate to the condemnation of Côll Bayard and Mr Hutchins and the occasion thereof as soon as you are able to perfect it, that the whole matter may thereby be laid before her Majesty.

In the mean while we are to acquaint your Lordship that her Majesty having been informed in Council that Sampson Shelton Broughton her Majesty's Attorney General having fallen under the Censure of the Lieut[t] Governour and Council of New York for delivering his opinion relating to the Crimes objected to Côll Bayard and Mr Hutchins We send your Lordship here inclosed her Majesty's order in Council for the restoring the said Broughton to the Execution of his office, her Majesty judging it not fit that any person should be punished for giving his opinion in matters refer'd to him.

And that your Lordship may be fully informed of her Majestys Pleasure relating to the said Côll Bayard and Mr Hutchins we send your Lordship the inclosed transcripts the originals whereof so far as requisite are transmitted as We are informed by their correspondents.

Lastly we hope your Lordship will receive herewith Cloathing and accoutrements for the 4 Companies under your command the same being sent over by Mr Champante, which will be more necessary since your Lordship acquaints us with the ill condition thereof. We are

My Lord

Your Lordships

Most humble Servts

DARTMOUTH
ROB: CECILL
PH: MEADOWES
Wm BLATHWAYT

14 July 1702.

P. S.

And whereas we are given to undestand that the Assembly of New York have past an Act or Acts for Reparation of Damages pretended to have been sustained by Leisler we send you inclosed a former instruction to the Earl of Bellomont from this Board to the contrary, which instruction was to be the Guide of Capt: Nanfan who succeeded the said Earle so that we take these proceedings to be very irregular and not fit to be allowed of.

DARTMOUTH
ROB: CECILL
PHI: MEADOWES
Wm BLATHWAYTE

Lords of Trade to Lord Cornbury.

[New-York Entries, E. 198.]

To the Rt Honble the Lord Viscount Cornbury

My Lord

We are given to understand from my Lord Godolphin High Treasurer that several Bills of exchange are come to his hand drawn by Captain Nanfan upon the late Commissioners of the Treasury for £500 sterling upon pretence of applying the same to the fortifications of the

Province of New York in pursuance of an order to the Earl of Bellomont And his Lordship conceiving that the said proceeding is not only irregular in form but apprehending that the same was no wayes well intended the said Bill being dated the 22 of April last, few days before your Lordships coming and long after there was reason to expect your arrival in that Province; So that my Lord Treasurer not thinking fit to accept the same, has desired us to acquaint your Lordship therewith And withall to give your Lordship direction that no such Bills be drawn hereafter by your Lordship or any person whatsoever upon the Treasury But that your Lordship after a new Survey of the Fortifications and other publick works do certify the same to this Board that in case any supply be necessary from her Majesty over and above what shall be raised by the Assembly the same may be submitted to her Majesty to give such order therein as her Majesty shall think fit. We are

My Lord
Your Lordships
Most humble Servants
Rob: Cecill
Ph: Meadowes
Wm Blathwayt

Whitehall
July 16. 1702.

P. S.

Since the writing of our letter to your Lordship of the 14th instant We have received your Lordships of the 3 May last by the way of Philadelphia and are expecting to receive a further account from your Lordship of the State of New York.

Order of the Queen in Council relating to the Defence of the Colonies.

[Plantations General Entries, No. 36; (C,) 188.]

At the Court at Windsor the 24th of August 1702.

Present—The Queens most Excellent Majesty in Councill

Upon reading this day at the Board a Representation from the Lords Comissrs of Trade and Plantations, dated the 17 of April last, humbly offering to her Majesty divers proposals for the better defence and security of her Majestys Plantations in America. Her Majesty in Council is pleased to order, as it is hereby ordered That the Governors of her Majestys Provinces of the Massachusets Bay and New Hampshire be writ to in the most pressing manner to endeavour, that according to what has been proposed by Coll: Romer the Engineer lately sent thither, a good Fort be built at Pemacquid about the same place, where the East Stood, and for its better defence in case of an attack from the sea, that a battery be raised on the next point of land, and a Redoubt or Round Tower on St Johns Island, and a new Fort in Piscataway River, where the present Fort now stands to be such as the growing Trade of that River and Country requires according to the design thereof sent by Coll: Romer to the Lords Commissioners, as also a strong Tower on the point of the Tryers Island, a battery on Wood Island, and another on Clarks Island, and further acquainting him that when the said

fortifications shall be built, her Majesty may be induced to send thither some great Guns and other stores of war towards the finishing and for the use of the same. That the Magistrates in her Majesty's Colonies of Connecticut and Rhode Island, and the Proprietors of Pensilvania Carolina and the Bahama Islands be also required to take care that due preparations be made in the said respective Colony's and Proprieties for the defence and security of the same against any attempt that may be made upon them by the Enemy during the time of war

That the Governors of the Massachusets Bay and the said Magistrates of the Colonies of Connecticut and Rhode Island, be required that in case of an invasion or appearance of immenent danger on the side of New York, they forthwith send assistance to that Province, of men or money according to former directions sent to them on that behalf. And the Lords Commissioners of Trade and Plantations are to write to the respective Governors, Proprietors and Magistrates of her Majestys Colonies upon the Continent, and Islands, adjacent in America accordingly; And further to signify to the Agents of Barbados that in case they desire that the duty of four and a half p^{r} Cent arrising in that Island, and already directed by her Majesty to be applyed towards the Fortifications and other necessary occasions of the said Island, should be applyed towards the keeping a competent number of Soldiers in her Majestys pay in that Island Her Majesty may be disposed to give orders for applying the same accordingly And her Majesty having been pleased to refer to his Royal Highness Prince George of Denmark, Lord high Admiral, the giving directions for providing in the best manner that may be for the security of the Coasts of her Majestys Plantations and Islands adjacent in America; Her Majesty in Council is further pleased to order that the remaining Part of the said Representation be as it is hereby referred to the Lords of the Committee of the whole Councill to consider the same and to Report to Her Majesty at this Board, what their Lordships conceive fit for Majesty to do in the severall matters therein proposed.

John Povey

Lords of Trade to the Earl of Nottingham.

[New-York Entries, E. 205.]

To the R^{t} Hon^{ble} the Earle of Nottingham.

My Lord

We have received your Lordships letter of the 12 of August, signifying that Colonel Jeremiah Bass and Daniel Cox Esq^{rs} having been recommended to her Majesty as persons fit to be members both of the Council of New Yorke and New Jersey might be inserted in the instructions preparing for the Lord Cornbury in case we had no objections against it, in answer where unto we take leafe to offer to your Lordship, that as to New Yorke the division of that Province having been very great and we dayly expecting to be informed from my Lord Cornbury how the present state of things are there, and what will be the best method of reconciling the inhabitants we think it most for her Majestys Service that the nomination of councellors be defer'd till we receive such information To which we add upon this occasion that it has been constantly been given as a clause in all instructions to Governours that the

members of their respective Councils should be men who have good Estates and we do not hear of any Estates that either Mr Bass or Mr Cox has in that Province

As to the said Persons being of the Councill of New Jersey We have already inserted in the said Lord Cornbury's instructions for that Province the names of 12 persons, which were after much contest between the Proprietors of the East and West division agreed on unanimously by both parties, and which was in some measure a condition upon which they have surrender'd, We think it therefore for her Majesty's Service to keep to the nomination of those persons and are apprehensive that any alteration at present may renew their former animosities in that Province. As to the number of 12 We are restrained by an order of Council, and whereas to that number Côll Quary is added in New Jersey it is only to enable him the better to Execute his office of Judge of the Admiralty as her Majesty's Service may occasionally call him thither He not being from thence reckoned a standing Counsellor in that Province We are

My Lord

Your Lordships

Most humble servants

DARTMOUTH
ROB: CECILL
JNO POLLEXFEN
MAT: PRIOR.

Whitehall
Septr the 3. 1702

Lords of Trade to Lord Cornbury.

[New-York Entries, E. 209.]

To the Rt Honble the Lord Viscount Cornbury.

My Lord,

Since ours to your Lordship of the 16 of July last, we have received but one from you dated at Philadelphia the 23d of June: those letters which you therein mention to have writ relating to Mr Atwood and Mr Weaver are not yet come to our hands, so that we are in dayly expectation of hearing very particularly from your Lordship how affaires stand at New Yorke and what your Lordship has done as well towards reconciling the differences there as towards putting the Province in a posture of defence till when we have nothing now to write to your Lordship relating to that Province

Her Majesty has been pleased to appoint you her Governour of New Jersey, upon the surrender of the Proprietors of their right to the Government of that Province And your Commission and Instructions have been dispatched accordingly We must recommend to you upon this occasion that you use your best endeavour to compose those animosities which have so unhappily divided the people there and to settle that Province as may be most for her Majestys Service.

Your having proclaimed her Majesty at New Yorke and New Jersey has been inserted in the Gazette here,

The Court is at present at the Bath, and at their return we shall write to you at large, expecting before that time to receive letters from you We are

My Lord

Your Lordships

Most humble Servants.

PH: MEADOWS
JNº POLLEXFEN
MAT: PRIOR

Whitehall
Sept: 24. 1702.

Lord Cornbury to the Lords of Trade.

[New-York Entries, E. 215.]

To the Rt Honble the Lords Commissioners for Trade and Plantations.

My Lords

Your Lordships having been pleased to command me to send you, as soon as I could after my arrival here, a full and true account of the condition of the Soldiers, forts and fortifications in this Province; I have taken the strictest View of them I could and found them in the Condition hereafter mentioned that is to say. My own Company consisting of Eighty effective men besides officers Captain Nanfan's Company consisted of seventy six private men besides officers Major Ingoldsby's consisting of eighty four private men besides officers And Capt: Weemes's consisting of ninty two private men besides officers as will appear by the muster Rolls now sent over, The two first mentioned companies I found in Garrison in the Fort of New Yorke. the two last are at Albany. those at New Yorke are naked I cannot discribe their cloathes Bad enough, and their arms were in such a condition that we could pick out but seven and twenty muskets fit to fire in both Companies There is but twelve swords in each Company and as many bayonetts they were paid their subsistance weekly The Fort at Yorke I found in a miserable condition the parapet which is of sodd Work being fallen down in many places, not one platform good but most of them quite rotten many of the guns dismounted most of the Carryages rotten and some of the guns so honey-combed that they are not fit to be fired. The stores are in an ill condition to there being very few fit for service. I send your Lordships an inventory of them taken by Côll De Peyster and Mr Van Dam signed by them and by one of the officers that went along with them; By this inventory you will see in how ill a condition we are to cary on the war; and indeed how ill provided We are for our defence, in case we should be attacked You will please to consider that the frontiers must be supplyed out of this inventory which now have no manner of thing And how we shall be able to arm those men which we shall be forced to raise for our common defence I am sure I do not know. The Magazeen of the Fort at York is a building of Brick made by my Lord Bellomont over the gate going into the fort, It cost eight hundred pounds, and was built under Côll Romer's directions But I am well satisfyed that a better building might have been made for two hundred pounds Besides that it is the most improper place in the world for a Magazeen for Powder because of the great storms of thunder and lightenings which are very frequent in this

country Besides many people that live near the fort have been very earnest with me to remove the powder from thence it being very certain that if the Magazeen should by any accident blow up it would destroy many houses as the Fort; This is the condition of the Fort and Forces at New Yorke. At Albany Major Ingoldsby's and Capt: Weems's Compainies are en Garrison the numbers I have mentioned before. As for cloathes they are in as bad a Condition as those at York that is they are naked many of them not having wherewith all to cover their nakedness They were when I arrived eight weeks in arrears of subsistance The fort is in a miserable condition It is a Stockadoed fort about one hundred and twenty foot long and seventy foot wide, the stockadoes are almost all roten to that degree that I can with ease push them down; There is but three and twenty guns in the fort most of them unserviceable the carryages and several of them so honey-combed that they cannot be fired without danger. I herewith send your Lordship an inventory of the stores that were there when I arrived By which you will see what a miserable condition that frontier is in. Schenectady is twenty miles from Albany upon a nother river by which the french must come if they attempt any thing upon Albany this is now an open Village It was formerly stockadoed round but since the peace no care having been taken to repair the Stockadoes they are all down, There is a Stockadoed Fort but indeed it is more like a pound than a fort There is eight Guns in it, not above three fit for service no Garrison in it when I came, but a Serjeant and twelve men, no powder nor shot neither great nor small nor no place to put it into The half moon is a place fourteen miles above Albany upon Hudsons River There was formerly a Stockadoed Fort made in Côll Fletchers time Nustigione is another place fourteen miles from Albany in the Woods where there was a pretty large Stockadoed Fort But these two last for want of looking after are quite gone to ruine by which Albany is left naked upon those two sides. This is a true condition of the Forts and standing forces here. As for the Militia that is in as bad a condition as the rest, for they have never been once muster'd since Côll Fletcher went from hence My Lord Bellomont never saw any of them in arms but the Regiment of foot at New York Indeed by Côll Schuylers care the Regiment of the Militia of the County of Albany are in pretty good condition but that is perfectly owing to his care: thrô the whole Province beside there is nothing like Militia it is a thing forgot among them Now I have given your Lordships a faithfull account of what condition we are in with relation to our defence I will acquaint you with what I think will be necessary to be done for the defence of this Province and then submit it to your judgements This Province is liable to be attacked two wayes. One by land that is by Schenectady and Albany And if these two places are once taken by the French they will have a free passage open not only to York but to all the Colonies upon the Continent without interruption especially those to the Southward of this Province The other way is by sea at New York itself there lies just over against the town a small Island of about four score Acres of Land, called Nutten Island, which lies on the South East side of the town A Bomb vessell may lye behind that Island and Bombard the City as they please and all the guns we have cannot hurt them The way to prevent this will be to erect two stone Batteries at a place called the Narrows One upon long Island and the [other] upon Staten Island the sea is but a little mile over in this place and Batteries being placed there of twenty Guns each it will be impossible for any body to hurt us by sea. I would have these made of stone because stone is cheaper here than brick and there is no turf to be cut in this Country besides that would be a continual charge always repairing And if an enemy should land would easily be taken Whereas if they are of stone they will not be so liable to want repaires nor to be taken, and will

effectually secure the City and Port I look upon this to be the more necessary to be done because in Summer 1701 Monsrs D'Iberville came into the Port of New York to a place called the watering Place within the Narrowes and sight of the City He was in a french man of war of fifty Guns he found an old man upon the Jerseys that Piloted his ship in, and at Yorke they never heard any thing of him till they saw him come to an anchor He was suffered to stay there upward of a month during which time he sounded all the harbour from the City of New York to Sandy Hooke; so that for the future he will want no Pilott to conduct him in And this is all the charge I would have bestowed at New York yet a while For the security of the frontiers it is most absolutely necessary there should be a stone Fort at Albany and another at Schenectady there should be a stone Redoubt at Nustigione and another at the half moon and I propose there should be a stockadoed fort at Saractoga a place Six and twenty miles above the Half Moon upon Hudsons River and is the farthest settlement we have if a large stockadoed Fort is made there it will not only secure our settlements there but it will be a retreat for our Rivers Indians upon all occasions and the charge will be very little above £200 the number of men that in my opinion will be necessary for the defence of these places now in time of War will be six hundred foot thus to be disposed of. Four hundred men at Albany. a Captain and one hundred men at Schenectady Forty men at Nustigione under the command of a Lieutenant A Lieutenant and thirty men at the Half Moon And a Lieutenant and thirty men at Saractoga which just makes Six hundred men This number of men will so well secure our Frontiers that the farmers will not desert their farmes the last War for fear of being Scalp'd as many of them were at their own doors and which will most certainly happen now again if not prevented by the method above mentioned Our Indians will be the more easily prevailed with to continue firm to us (who are many of them wavering) if they see us so well provided for our Defence. This is what I think is necessary to be done and if it is done I do not question but it will be in a great measure secure this whole Continent which does most certainly cheifly depend upon the security of our Frontiers What remains upon this head is to acquaint your Lordships what we are doing in relation to our defence In order thereto I must begin by acquainting you that Cóll [Romer] having been a year and half (as he himself told me) providing materials for building a Stone Fort at Albany was the Week before I landed gone to that place I wrote to him to come to me to Yorke that I might be acquainted with his design before he went any further, being informed that he had only marked out the ground In answer to my first letter he wrote me word that he was upon the Kings business and would not come I wrote a second letter and told him if he did not come immediately upon the Receipt of that, I would find a way to fetch him Upon that he thought fit to come; And indeed he gave me but a very indifferent Account of his business For by his own Account I find he has been here above four years and a half And during all that time has done no manner of thing but the building the Magazeen before mentioned which was done in June 1698 And since that time he has not done any thing towards the Fortifications of this place only he had provided about four hundred loads of stone and one hundred tun of lime for the fort at Albany. It seems he has been very intent upon some Fortifications at Boston; For when he came to me to York he was very desirous to go to Boston, saying he had given the necessary orders for all things to be prepared at Albany against next Spring and that then he would begin to build but that nothing could be done there till then I asked him the reason of it he told me he could get no Masons to work till next Spring but I found this was only an excuse that he might be at Liberty to go to Boston, I told him he should not go to Boston till he had been with me at Albany to

which place I did intend to go on the 20 of June and it was on the 15 of May when I told him this: He then said if I would give him leave to go to Boston he would meet me at Albany any day I would appoint he further said that the people of Boston had laid out a great deal of money upon their Fortifications and that if he did not go to give the necessary orders they must lose all the Summer and solemnly protested that he would be punctual to any day that I would name This being said in presence of several of the Gentlemen of the Council and several officers I gave him leave to goe, provided he should meet me at Albany on the 25 day of June; He promised he would and went that day towards Boston, On the 5 day of July I got to Albany, but Mr Romer was not come, nor no news to be heard of him I went the next day to view the ground he had marked out But I found that for the sake of having his Gate answered the broddest Street in the Town he had carryed the Point of his South West Bastion into a bottom that was near the old Fort, where he must have raised his foundation of Stone five or six and thirty foot high before it would have been even with the surface of the ground where the Fort must stand. By computation that Corner would have cost 500£ however I was unwilling to alter any thing of his projection till he came expecting every day he would come, till at last on the 8th day of August a letter came to a man he had intrusted to take care to provide Materials for the fort dated the 29 of June from Boston telling him that he shall not be at Albany till September which is a time which every body here knows to be too late for building because of the cold weather Having seen this letter and being informed by some of the Indians that the french were making great preparations at Montreal which can be designed against no place but Albany or Schenectady And seeing I was not like to have Mr Romers Assistance this fall, I thought that was to much time to loose I therefore made another draught of my own fort of which I herwith send your Lordships a Copy. By this draught I have removed the Fort 40 feet from the bottom before mentioned by which I shall save that vast expence which the point of his Bastion would have cost, and I have extended the Fort more Northwards By which means I shall entirely cover the West side of the Town which is that which lies most exposed to danger As soon as I had made my draught I inquired for Masons and found eight which I set to worke On Saturday the 15 day of August that I laid the first stone of Fort Anne and in 11 days they worked up all the materials that Mr Romer had been a year and half preparing beside three hundred load of stone that I had prepared while I was waiting for Coll Romers coming Thus we were busyed when Mr Romer arrived at Albany which was on the 19 day of August by which time I had laid the foundation of two thirds of the Fort And I do well hope that before the frost it will be five feet high which will be a good Breast Work till next spring that shall fall to work again. I desired Mr Romer to let me have an account of the £200 he had received from Captain Nanfan at first he was unwilling to do it saying that he had received the money from Coll De Peyster and that he would account with nobody but him for it. I appointed two persons to audit his accounts, and told him he must attend them and make up his account with them if he expected to be at liberty to return to Boston according to Coll Dudley's desire Upon this he did attend them and produced an account in which among other things he charges the wages of 40 men when he actually employed but eight and thirty He charges two shillings a day for his son as overseer of the works a lad of about 16 years old besides a shoemaker in Albany whom he had made his Agent is allowed in his Account two shillings a day more He charges 5 per Cent for receiving the two hundred pounds from Coll De Peyster and in his sume totall charges five pounds ten shillings more than the particulars amount to; And when the Gentlemen whom I had appointed to audit his accounts shew'd him

these mistakes he was very angry with them and came to me in a great heat and told me it was a very hard thing a man of his quality and station should be called to an account especially before persons who as he said did not understand accounts I told him that the Custome in England was for all persons who received any of the Queen's money to account for the same let their quality or station be what it would unless it were money paid them for their proper salaries He told me that was not the Custome in Germany I[n] short I find that he thought to have money paid him from time to time and he to render no account of it How well that would have done I submit to your Lordships better Judgments I have been more particular in this matter relating to Côll Romer because I would have you informed of the whole truth not doubting that he will complaine of some hardship done to him But I can assure your Lordships he has received none, unless it is a hardship to hinder a man from defrauding the Queen. As for Schenectady we shall not be able to do any thing there till Spring because there is no materials provided and the chief time for providing those things is the winter because then they can carry more upon one Sledge than they can carry in Summer upon ten carts. The other places before mentioned will not be meddle with till I receive your Lordships Commands. So I have nothing more to add upon this head but only to intreat you again to represent our Condition to the Queen, and likewise that we may have some great guns small arms and stores sent us over, of which I send you a list of such as I think necessary and submit it to your Lordships consideration being

Chear Hall in — My Lords
Orange County — Your Lordships most
in y^e^ Province of New York — faithfull humble Servant
Sept: 24. 1702: — Cornbury

Lord Cornbury to the Lords of Trade.

[New-York Entries, E. 280.]

To the R^t^ Hon^ble^ the Lords Commissioners for Trade and Plantations.

My Lords,

A. In my former letters to your Lords^ps^ I acquainted you that at my first arrival in this Province I met with great complaints from the generality of the people here against the persons then in power here but more particularly against M^r^ Atwood M^r^ Weaver Côll De Peyster D^r^ Staats and M^r^ Walters who are the five gentlemen that composed the Council at my arrival here. I hoped at first that Complaints had been greater than they needed have been But when I looked into the reasons of them I found them inferior to the injuries The cheifest honestest and richest inhabitants of this Province had suffered by the wicked contrivances of M^r^ Atwood and M^r^ Weaver, who have been the cheif Actors of all the mischeifs and misunderstandings here though the others were very willing instruments to assist them as far as they were able in the destroying this Province which appears plainly to me to have been their design hoping no doubt thereby to raise their fortunes to a very great pitch upon the ruines of the English and French inhabitants here in general and most of the richest of the Dutch, who all of them

having long enjoyed the benefits of an English Government were not only contend to live quietly under it but have alwayes been ready to assist it with their purses as often as required till they saw plainly they were to be made a prey to the unsatiable avarice of the persons above mentioned, B Who had projected the extirpation of the English here. This appears to have been their design by several instances particularly turning the English out of all the Commissions of the peace and Militia throughout the Province and putting Dutchmen into their places who were generally the meanest of the people men extreamly ignorant of all things few of them understanding the English tongue much less the laws C. The Sherifs were most of the same stamp most of them so ignorant that they can neither reade nor write This appear'd to me when I order'd the Clerk of the Council to write circular letters to the Sheriffs to give me an account of the number of people in their several Counties In answer to which they write that it will take a great time to doe but they will endeavour it; And when they come to sign their Letters it is said the marke of Theunis Talmane Esquire High Sheriff of the County of Orange and so of several others And in truth they are such fellows that they know not how to goe about Business themselves and those that doe think not themselves obliged to teach them So that I shall not be able to give your Lordships an account of the number of Inhabitants in this Province till I have a new set of Sheriffs which shall be in the middle of the next month At which time I will take care to appoint such persons as I have already put into the Commissions of the peace men (according to the twelfth Paragraph of my instructions) of good life and well affected to her Majesty's Government and of good estates and abilities and not necessitous people or much in debt Then I shall be able to give such accounts as are required. D. I am sorry the great mortality that we have lately had at York has so much diminished our number there, for in ten weeks time the sickness has swept away upwards of five hundred people of all ages and sexes Some men of note and amongst the rest Capt: Stapleton dyed two days ago, he was Commander of her Majestys Ship Jersey and brought me into this Province. I hope the cold weather will be a great means to abate the fury of it. E. I found the four Companies here and the Fortifications in a very ill condition there has not been one farthing laid out upon the Forts at New York since Cöll Fletcher went from hence And at Albany money has been laid out yearly, but to little purpose but I will not trouble your Lordships any further upon that head in this letter having sent you another upon that head in this letter, having sent you another upon that subject alone. F. At my arrival here I found Cöll Bayard and one Hutchins an Alderman of the City of New York in prison under sentence of death for High Treason Which Treason was no other than the signing Addresses to the late King and the House of Commons of England complaining of the Greivances they laboured under and likewise a congratulatory Address to me to be given to me at my arrival into the Province which it seems was treason too. The two original Addresses to the King and Parliament I herewith transmit to your Lordship at the request of the Gentlemen who signed them I send you likewise Copies of all papers relating to Cöll Bayards tryal as I had them from the Clerk of the Council and from other persons who had collected them as well as they could, for M[r] Atwood would not permit any minutes to be taken in Court So that I cannot send you so perfect an account as I could wish, but it is the best I could get Cöll Bayard has lately printed his tryal upon such Minutes as he was able to take himself while he was at the Bar which I likewise send to your Lordships[1]

[1] It is entitled — "An Account of the illegal Prosecution and Tryall of Coll. Nicholas Bayard, in the Province of New-York for supposed high treason in the year 170¼. Collected from several memorials taken by divers persons privately, the commissioners having strictly prohibited the taking of the tryal in open Court. New York. 1702." Folio pp. 44. The trial is reprinted in *Collection of State Trials*, XIV. Ed.

with Copies of all the Addresses deliver'd to me since I came hither By which you will see what a Condition the people of this Province were in. G. I did intend to have by this opportunity sent your Lordships an account of the Revenue and the Debts of this Province; And in order to it on the fifth of May last, which was two days after my arrival here I ordered M^r^ Weaver to lay a state of the Revenue and a list of the debts upon the Revenue before me but I could never prevail with him to let me have it, which was one of the reasons of my suspending him from his imployments as I acquainted you in my letter of the 16 day of June last, by which I intreated you that he might not be restored because he has been one of the greatest if not the Cheif promoter of the Disorders that have happened there these four years last past, by which this Province was well nigh ruined And besides he was certainly one of the worst officers in the world. H. I had ordered him to give me every Saturday an account of the entries inwards and outwards, but I could never obtain it but always made me promises from day to day but never performed any. I find by his management the Credit of the Government intirely lost, because he took it upon him to pay whom he pleased and when he pleased So having brooke through the method of paying in Course, none of the Merchants would deal without ready money or very extravagant prices for their goods, well knowing that they could not get their money without paying twenty per Cent for it; So that a little before I came they could not find Credit for the least thing they wanted. I. I asked M^r^ Weaver what account he had sent over, he told me he was five Quarters in Arrears which I found to be true about a month ago when he sent me his accounts from the 6 day of January 1700 to the 25 of December 1701 Those four Quarters Accounts are audited by Côll De Peyster who is Deputy Auditor but the method here has always been that the Receiver Generals Accounts after they have been audited by the Deputy Auditor are then Reviewed by some of the Gentlemen of the Council and then signed by the Governour in order to be transmitted to England These four quarterly Accounts are made up of such Articles that ought not to be allow'd at least many of them are so notorious that I wonder how the Gentlemen that were then of the Council could consent to pass Warrants upon such Accounts therefore I have referred them to the examination of two Gentlemen of the Council and one of the Commissioners for collecting the Revenue and have directed them to send for the Deputy Auditor to inquire about the Vouchers upon which he allowed those Accounts therefore it will be impossible for me to send the quarterly Acc^ts^ as I am directed by my instructions at this time, unless I send them without examining which I thought I ought not to do In a short time I shall send them and likewise the Quarterly Accounts of the Commissioners whom I have appointed to execute the office of Receiver Generall till the Queens Pleasure shall be known. K. If M^r^ Weaver had not carryed away the books with him the last time he ran away they would have been able to have sent one quarterly account now but his carrying away his books has put them to a great deal of trouble and the sickness coming presently upon that has made it impossible for them to do it; But the first ship that sailes I will certainly send them. L. I am sorry I must inform your Lords^ps^ that the Revenue of this Province is (since my Lord Bellomont coming into this Country) become very much in debt When Côll Fletcher went from hence the debts then amounted to £1391 15 7¼ and then there was so much of the Revenue in arrear as would have paid that debt But now the least debt I can hear of is £8000 some say £9000 and some say £10,000 and this in time of peace no Soldiers to be paid out of the Revenue of this Province no new fortifications built no other buildings erected but the Magazeen I mentioned before and the New Lodgings which Côll Fletcher had built were

finished. Indeed there have been some extravagant bargains made about Timber; But where all the rest of the Revenue is gone I cannot imagine. I will endeavour to give you an account of it as soon as possible but what we shall be able to do for the support of this Province in this exigency I cannot imagine. M. I wish your Lordships would be pleased to represent this matter effectually to the Queen I hope her Majesty would then be pleased to order a sûme of money towards the payment of debts of this Province and towards the compleating the fortifications The late King was pleased to give £2500 towards the fortifications certainly it is much more necessary than ever that they should be carryed on with all the Vigour imaginable And unless we receive some assistance from England I cannot see any prospect of getting the Revenue out of debt which I confess I would fain doe, and then I am very sure it will be very easy to keep it soe when it is apply'd to its proper use only which I am sure it [h]as not been of late, nor was not intended to be as you will see by the Acts of Assembly lately passed here, where large gifts are made to particular people I send you the Acts of the two last Sessions one last Autumn and the other the last Spring. I shall not trouble you any more upon that head in this letter, having sent another upon that subject only. N. I must likewise acquaint your Lordships that I have been at Albany to renew the Covenant Chain with the five nations of Indians whom I found full of complaints saying we did not keep our promises with them The conference was pretty long therefore I have troubled you with a particular letter on that subject and likewise send you the conference it self at large therefore I shall say no more upon that matter now. O. I shall not trouble you with any Account of Masts, Timber or any other Naval stores having writ a letter on purpose upon that head. P. I think it my duty to recommend to your Lordships favour and care the case of Côll Nicholas Bayard and Alderman John Hutchins whom I found under sentence of death for high Treason. If I may take the liberty to give your Lordships my opinion upon the proceedings against those two Gentlemen I must say they were the most unjust that were ever heard of or known I always thought that the statute of the 25 of Edward the third had limited Treason, but it seem's M^{r} Atwood is of another mind, for he declared upon the Bench that whatever was Treason by the Common law before the passing of that Act, was Treason still notwithstanding that Act; If so that Act is of little use to the subject who must be very unhappy under such a Judge But allow M^{r} Atwood to be in the right and allow the papers to be really Treasonable papers (which I conceive they are not) still they are not justly condemned for those papers had at that time never been seen by Capt: Nanfan nor any of the Council nor by M^{r} Weaver who was made Sollicitor Generall on purpose for that tryal (an office never known in this Province before) nor by the Grand Jury who found the Bill, nor by the petty Jury who tryed the Prisoners So that in truth these men were condemned for supposed written Treason which was never produced in evidence against them, nor proved to be treason; For I think it is very plain by the oathes of the witnesses both before the Council and in Court that their is nothing like Treason contained in their depositions against the prisoners therefore I conclude that they were condemned unjustly and contrary to the known laws of England And therefore I hope your Lordships will be pleased to intercede with her Majesty in behalf of Côll Bayard and Hutchins that the sentence against them may be reversed. There were many other irregularities committed in the proceedings against those men For example The special Commission limited the Judges to hear try and determine that very numerical day mentioned in the Commission which was the 19 day of February and they had no power to adjourn to any other day notwithstanding which M^{r} Atwood adjourned several times the Court Another irregularity was with respect to the

Grand Jury. Mr Weaver the new Sollicitor insisted upon it that he had a right to sit with the Grand Jury and that no witness should be examined but such as he should think fit Four of the Grand Jury opposed this and would not be perswaded to suffer it for which Mr Atwood dismissed those four men from being of the Jury after they were sworn and possessed of the bill and put in four other men which he thought more for his purpose. There were nineteen persons upon the Grand Jury of which eight would not find the Bill, So there remained but eleven Notwithstanding which the foreman of the Grand Jury (who is a brother of Côll De Peyster) indorsed the Bill, Billa Vera, and when the Councel for the Prisoners insisted that the Prisoners could not be put upon their Tryal because the Bill was not only found Mr Atwood declared that in this case the Grand Jury was but an inquest of office and that though the Bill was found by a less number than twelve it was sufficient to put them upon their tryal and accordingly proceeded. He would not allow any body to take any notes in Court not so much as the Practitioners of the Court. These are some of the irregularities of that tryal I could name many more were I not affraid of tiring you with them. Q. I have nothing more to trouble your Lordships with now, but to intreat your care that we may be supplied as soon as possible with Stores and Armes, without which we shall be but in a very ill condition to defend our selves if we should be attacked much less to attack the enemy However I intreat you to beleive I will not be wanting in my Duty. I am

My Lords

Your Lordships most

Orange County faithfull humble Servant

Sept: 27. 1702 Cornbury

Lord Cornbury to the Lords of Trade.

[New-York Entries, E. 259.]

To the Rt Honble the Lords Commissioners for Trade and Plantations.

My Lords,

A. Your Lordships two letters of the 5 of May came safe to my hands, the one on the 29 of July last and the other on the 21st Instant You are pleased in those letters to direct me to give an Account as soon as possible of certain Masts and Timber provided by the late Earle of Bellomont in this Province for the Service of the Royal Navy and you direct me to send that Account to the Commissioner's of her Majesty's Navy together with my opinion how they may be best sent for England. And you are pleased further to direct me to send the like information to your Lordships at the same time as also my opinion in relation to all sorts of Naval Stores. B. As to the first part of your commands I must inform you that in the beging of June came into the Port of New York the ship Benjamin, Capt: Opdyke commander She came from Jamaica she is by her Charter Party (of which I send your Lordships a Copy) bound to go to the West Indies and in her return to take in Masts and Timber at New York, Upon that ships arriving in this Port I inquired after the Masts and Timber, and I found that my Lord Bellomont was entred into an agreement in writting with one Ryer Schermerhoorn of Schenectady

for the providing twenty four Masts of certain dimensions and at a certain price in the said agreement mentioned, a copy whereof I herewith send to your Lordships I found that the number of Masts was cut, but that they were not of the dimensions agreed for, nor were they brought to York as they ought to have been Schermerhoorn had had a hundred pounds advanced to him by my Lord Bellomont, and he is not able to refund it. This being the case, and this ship being come, I thought it was not fit to send her home empty if it could be avoided; so I sent for the Captain of the Jersey and the Captain of the Benjamine and ordered them to go to Albany along with Schermerhoorn to view those Masts, in order to have them brought down; And I told Schermerhoorn that if they were found serviceable I would appoint two persons to value them, and if he would do the like he should be paid according to that valuation, if not I would have nothing to do with his Masts. At last with some difficulty he consented to this proposal, the Carpenters went to view the Masts and reported them serviceable, Schermerhoorn brought them down to York where they have been viewed and valued A Copy of the valuation I herewith send to your Lords^{ps} whereby you will see the Sûme amounts to £410 10 0, of which Schermerhoorn has already received £180. And indeed I thought it better to take the Masts, though there must be £230 10^{s} more paid than to sue a man for £180 who We know not able to pay it and especially since here is a ship that must have returned empty. C. As for the timber that was a private bargain between my Lord Bellomont and Cóll De Peyster of which I cannot yet get a full Account; But thus much I find, that the money for it is paid and the timber lies rotting some part of it upon a Key at New York, and the rest in the woods where it was cut, which is fifty miles from York. As much of that which is at York as is good shall be put on board the Benjamine with the Masts; That which is in the woods cannot be brought from thence till the Frost is strong enough to bear the Slays, then it shall be brought from thence to York, then I will send an account of the nature and quantity of it to the Commissioners of the Navy for their directions. Now my Lords As to what relates to Naval stores in general I must acquaint you that I have made the best inquiry about that matter which I could In the little time I have been here, and considering the difficulties I have met with in most things, occasioned by the mismanagement of those I found here in power: D. Never the less I am well satisfyed that England may be supplied from this Province with great quantities of very good timber of all sorts for ships, Masts, Rozin, Pitch and Tar and I hope at reasonable Rates; But I do not think it for the advantage of the Queen that these things should be provided by the Government here, but that contracts should be made with Merchants here to furnish those stores at certain prices to be settled, Then the Queen will be at a certainty, because whoever contracts must deliver nothing but what is fit for Service Whereas if the Government does it, there may sometimes happen great loss by the negligence of those that fall the Masts, which by a contract will be avoided. And that your Lordships may be satisfied that the thing is feasable, (E) I herewith send you a copy of a proposal made to me some few days since by very substantial men If the proposal is approved of, I desire your Lords^{ps} will let me know it as soon as may be, because they would be preparing those quantities they propose to send for a tryal by Mayday 1704 at the prices mentioned in their proposal; This I thought proper to offer to your Lords^{ps} consideration and hope it will be to your satisfaction I am

My Lords

Your Lordships most
faithfull humble Servant
CORNBURY

Orange County
Sept^{r} 29. 1702.

Lord Cornbury to the Lords of Trade.

[New-York Entries, E. 263.]

To the R^t^ Hon^ble^ the Lords Commissioners for Trade and Plantations.

My Lord

A. Having appointed the five Nations and the River Indians to meet me at Albany on the 25 day of June, I prepared myself to be there at that time; but having received a message from them to let me know that they could not be at Albany till the 10 of July; I defer'd my going for some days but got thither on the 5 of July. On the 9 of July three of the Canada Indians desired to speak with me On the 10 the farr Indians called Twightwighs and Tionodadees desired the same. On the 15 of July the 5 Nations came to me; And on the 17 of July the River Indians were with me. All the Propositions and Answers at large I herewith send to your Lords^ps^ therefore I shall not trouble you with repeating any thing of them; Only I shall observe some few things relating to those People. B. First I look upon the yearly presents made to the Indians to be a very great charge to the Crown, and yet I do not see any possibility of saving of it as long as the French are possesed of Canada, Because if you once give over giving them Presents they will immediatly go away to the French, And the consequence of that will be that the people here will not be able to stir out of their Houses for fear of being scalped. Your Lordships will perceive that the five Nations promised me to be firm in Our Interest. C. but I have some reason to beleive the Ciniques, Cayugos and Onondagos will not be true to us; for I was informed two days agoe that they had received Preists among them And indeed that is one reason of our loosing them, D, because we have no Ministers among them And indeed think it would be a means to keep them much firmer than they are, if We could have two Ministers settled in two of their Castles; E, but I think the only way of securing this whole Continent would be to drive the French out of Canada; and I look upon it to be a very feasable thing and not be a mighty charge neither, considering the advantages that would accrue by it to England; the duties upon the Peltry would alone in a very short time reimburse the charge, For it is certain that they send more goods from Canada in one year to Europe than we do in ten. That the thing may be done with ease is certain: fifteen hundred well disciplined men from England well officered, and eight fourth Rate Frigots joyned with what we can raise in these Provinces will doe that matter effectually, if they are well armed and sufficiently provided with Ammunition. As for victuals, We can supply that in these Provinces And we have small Craft enough here to carry the Provisions to the Places where they will be wanting It will be requisite that 4000 Arms be sent hither to Arm the men we raise here and I propose a Bomb Vessell be added to the eight fourth Rates. I propose this number of men and ships should be thus imployed. First I propose the ships and the 1500 men should be at Boston by the end of March or the begining of April, at farthest. When the ships are fitted with what they may want, I propose they should take a thousand men more on board and sail directly up Canada River towards Quebec in order to attack that Place, and that at the same [time] two thousand men more or two thousand five hundred may march by land towards Montreal from Albany. This will make the whole number of men to be imployed 5000 at most besides the ships so that the charge may easily be computed the advantages that will accrue are many First, This being done you will be Masters of the Peltry Trade of America Then the constant charge of presents to the Indians will cease, for then the Indians

must depend upon you for what they want, so you may do with them as you shall think fit: And the people of these Provinces will apply themselves to the improvement without fear of being Scalped whereas now they are in perpetual fears and alarms. The people of this Province are so sensible of these things that I beleive there is scarce a man in it that would not leave his family and his business to give a helping hand to this undertaking. Thus I have taken the liberty to offer your Lordships my thoughts. If there is any thing that may be of use, I am glad of it; If it is not approved of, I hope you will pardon my Zeal for the service of my Country that made me propose it; If it should happen to be approved of I hope your Lordships will let us know it as soon as may be, that we may be preparing for it in order to be ready against the time that nothing may be wanting on our parts By the next ship I shall send your Lordships an account of the Forts the French have at Canada and the number of men in each Fort. I am

My Lords

Your Lordships most

faithfull humble Servant

CORNBURY

Orange County
Sept: 29. 1702.

Conference of Lord Cornbury with the Indians.

[New-York Papers; (R. S. T.,) T. 40.]

PROPOSITIONS made by two Canada Maquase Sachims called Taquayanout and Sinjaderise accompanied with Degayedore another Indian of Canada to his Excellency Edward Lord Cornbury Captn Gênll and Governour In Chiefe of the Province of N Yorke and the Territories depending thereon in America and Vice admirall of ye Same &c in Albany the 9th July 1702

Hilletje van Olinda Interpreter.

Taquayenout Speaker

Father Corlaer

Wee heard when wee were at Canada that you were sent by the great King of England to be governor of this Province, and esteem our selfs happy that we have this opportunity to congratulate your safe arrivall, wee are not sent in ye quality of Sachims from Canada but are come here to Trade, neverthelesse think it our duty to bid you heartily welcome

Since the Peace between the two Crownes of England and France we have had the liberty to come here and trade, and have had the benefite of hunting in Peace & safety, and as a token thereof we present your Lordship with two Bever Skins, the fruits of our Peaceable hunting, and since our Father Corlaer is governour as well of the Indians of ye 5 nations as ye Christians in this Government of New Yorke, we hope your Lordship will contribute and be Instrumental towards ye continuance of yt Peace and Tranquillity we now enjoy 2 Bevers

Since Providence has so ordered it that we are here at this juncture, and yt your Lordship is pleased to admitt us to speak with you, we presume to inform you Onnondio our Govr of Canada has told us that if a warr should break out, between the two Crowns of France and England as is dayly expected, that we Indians should sitt neuters, and not be concerned either

way now we desire to know whether you think our Governour real or not, and whether we may depend upon it, and how that your Lordship intends to do with y^e^ Indians in your Government whether you will keep them in from warring upon us, we would gladly be satisfied on this particular and to be plain with your Lordship it is y^e^ cause of our stay here so long, hopeing your Lordship will be pleased to resolve us before we goe hence to Canada do give two Bever Skins

His Lordship asked how long the designed to stay, that he may give them an answer, They said they beleived they would not be ready before the Indian Propositions were over

P Schuyler
Robert Livingston Secr^y^
for the Indian affairs

Propositions made by five of y^e^ farr Indians called Twightwighs and Tionondadees sent by the Sachims of said Nations who live at Tjughsaghrondie a place where the French have built a Fort last year, to His Excellency Edward Lord Cornbury Capt^n^ Gèn^ll^ and Governor in Cheife of New Yorke &c and Vice Admirall of y^e^ Same in Albany y^e^ 10^th^ July 1702

Present— Coll P Schuyler of H M Councill

Tehonwahonkarachqua, a Twichtwigh son in law of y^e^ Principal Sachim of Deonondade spoke first and said,

Brother Corlaer

I hope your Lordship will not expect that we should say much being but ignorant mean poor people, in y^e^ first place we congratulate your Lordships safe arrival to your Government, and beg leave to bid you heartily welcome doe give a Bever Coat

Rughkiwahaddi, a Dionondé Spoke @ said

The greatest part of y^e^ Dionondes and many of y^e^ Twichtwighs are removed and come to live at Tjughsaghrondie, hard by the Fort which y^e^ French built last summer, which said two nations are united, we belong to those Dionondadees who live at Tjughsaghrondie and our Sachims having heard by one of our Indians called Towasquaye now come along with us, that he was kindly treated here about two years agoe, we are therefore sent hither to return thanks and to see if y^t^ good treatment and understanding continues, and withall to enquire concerning the Trade of this place we are directed by the Sachims to see if goods be cheaper here than elsewhere and where we find goods cheapest, thither we will bend our course, we designed to go to Canada with our Bever and Peltry, but we ventured and are come here to try, and see whether y^e^ Goods be cheaper here than there do give 7 Bevers

Brother Corlaer

We have one word more to say, that is that we being strangers, were much at a losse when we came to the carrying place of Oneyde none of us ever having been that way before (Towasquaye when he came here two years agoe coming by the waye of Canada) we do therefore Pray if your Lordship shall be so good, y^t^ y^e^ Path over y^e^ Carrying Place may be mark'd upon y^e^ Trees and y^e^ old Trees taken out of y^e^ Creek which much injures the Passage of Canoes, and will much facilitate their coming hither

Wee presume to acquaint your Lordship that there are eight of our nations that are now in warr with y^e^ Naudowasses by y^e^ French called Pani a nation of Indians that live to the Westward towards y^e^ Spanyards

My Lord replyed

That he was glad to see them and they were very welcome, that Mr Abraham Schyler and Jean Baptist were appointed by his Lordship to goe along to see they be civilly used by ye Traders in the disposall of their Bevers and Peltry they brought along

The Indians prayed to have leave to speak one word more vizt that his Lordship would dispatch them as soon as possible with an answer Since their Sachims would think long for their coming back

His Lordship said he would either ansr them before they traded or after as they pleased, they should not be detained

The said Farr Indians prayed they may have an answer before they traded, for that the hoped to be despatched before ye Sachims of ye 5 Nations came—whom they would not have to be privy to this Conference

His Lordship directed them to attend to morrow morning and they should have an answer

P: Schuijler
Robt Livingston Secry
for the Indian affairs
Dirck Wessells
Justice of Pace

Albany ye 13th day of July 1702

The Sachims of ye 5 nations being come to Albany upon his Excellency ye Lord Cornbury's Message, they all waited upon his Excellency at his Lodging @ after they had saluted his Lordship after their manner they addressed him by Onucheranorum the old Maquase Sachim thus

Brother Corlaer

Wee the Sachims of the five nations, called Maquase, Oneydes, Onnondages, Cayouges & Sinnekes doe heartily congratulate your Lordship's safe arrivall into this Province and are extreamly glad that the Crown of England has been pleased to send one to be our Governor who is nearly related to that great Woman who reigns now over England and all these parts of America

You are as we are informed of ye Queens own blood which is matter of Rejoycing to us

We are come in obedience to your Lordships message and do assure you that we will be obedient to your Lordships Commands

Wee do further assure you that our joy of seeing yr Excellency here govr of this Province is not outwardly but from our very hearts yea our joy extends quite to ye Heavens

Pr: Schuyler
Dirch Wessels justice of pace
Robt Livingston
Secry for ye Indian Affairs

His Excellency answered the Sachims of ye 5 Nations

I am glad to see soe many of the Sachims here I thank you for your kind congratulation. I have several things to propose to you which I will do in a short time, and appoint the day for

your attendance, in y^e^ mean time you shall have provisions delivered to you for y^r^ refreshment whatever you shall have occasion for

His Excellency My Lord Cornbury Capt^n^ Gên^ll^ and Gov^r^ in Cheife's answer to y^e^ farr Indians called Twightwighs and Dionondadees Albany y^e^ 14 July 1702

PRESENT—Coll P Schuyler of His Mat^ys^ Councill Maj^r^ Dirck Wessells

I thank you for your kind congratulation and am extreemly well pleased that I have now an opportunity (which none of my predecessors ever had, to speak with you about the establishment of a Lasting Friendship and Trade which shall always be encourag^d^ on my part, and as a token of my sincere intentions and of your being heartily welcome to these parts I doe give you

5 Gunns 10 Bags Powder 5 Lac'd Hatts 3 Stroudwater Coats Some Tobacco and Pipes

I perceive some of your people have left their native country and come to live at Tjughsaghrondie a place where the French have built a Fort last year without leave of the 5 Nations who claim that Country, I am also informed y^e^ French are very loath you should come and trade here, fearing that you will receive so much satisfaction that you will for ever hereafter decline going to Canada. I observe further that you have mett with some difficulties in your journey hither at y^e^ Carrying place for want of Guides to conduct you hither

As to the first I could wish that since you are removed y^t^ you would come and live nearer us at Iagare or some other convenient place, y^t^ upon occasion we might be able to supply you without any interruption from y^e^ French and I conjure you to acquaint your Sachims that I send them these two Belts of Wampum one to each nation by which I invite them to come and see mee next July when your people come from hunting when the Indian Corn is a blossoming, And I will then order y^e^ Sachims of y^e^ five nations & y^e^ River Indians to meet me here; & gett you and them joyned in a firm League that you may be united in heart & hand against all those who may envy your happinesse by being linked in our Gên^ll^ Covenant Chain

As to y^e^ second, I shall say little to that matter since your own experience will decide it only one thing I must observe to you, that y^e^ Rumor of Warr breaking out in Europe has raised the Price of Goods extreamly, in so much that a Bever formerly could have purchas'd that which two will scarce doe now never the less I doubt not but you will find that y^e^ Goods are farr cheaper here than at Canada

As to y^e^ third I will not only give directions to have y^e^ Path at y^e^ Carrying Place marked out and y^e^ Creek cleered of old Trees for y^e^ ease and accommodation of all strangers that may be inclined to come & see us, but will upon y^e^ least intimation of your Peoples coming this way send guides from hence to convey them hither

I would have sent a present to your Sachims of some of y^e^ Commodities of this place but fear it would be too bulksome and heavy for you to carry, have therefore sent them by you some Indian Jewells which I hear are most in request with you Vizt. 110 Wampum Pipes 9 Shells 117 Round small Shells 32 Jewells that they wear in their noses and eares, and some toys for their Children viz 3 Doz Tobacco Tongs 16 Fanns 36 looking Glasses, and you may assure them from me that they may freely come without any fear or Jealously, that they shall be civilly treated, and have every thing as cheap as any other Indians in Covenant with us, and as the Indians of y^e^ 5 nations have found y^e^ benefit by a constant inviolable League with us since y^e^ first settlement of this Province with Christians (which y^e^ French cannot pretend to with any of their Indians) So you shall with the unanimous consent of all, be received in the same Covenant, and partake of all y^e^ benefitts thereof

As to what you say about 8 of your nations warring with the Naudowasses, when your Sachims come next year I will be ready to give them my best advise about that subject till when I shall suspend my Judgment.

P Schuyler
Rob^{t} Livingston Sêcry
for y^{e} Indians Affairs

Proposalls made by his Excell^{cy} Edward Lord Cornbury Capt^{n} Gên^{ll} and Gov^{r} in Cheif of her Maj^{tys} Province of N. Yorke &^{c} and Vice Admirall of y^{e} same to y^{e} 5 Nations of Indians called Maquase, Oneydes, Onnondagues, Cayouges and Sinnekes in Albany y^{e} 15th July 1702

Present—Coll P^{r} Schuyler of her Maj^{tys} Councill
Capt James Weemes Major Wessells
The Mayor, Recorder, & Aldermen & sundry gent^{n} come from York & Albany wth many of the Principal Inhabitants

Brethren

I am much greived that I must begin our conference with the melancholy Story of the death of y^{e} most high & mighty Prince William y^{e} third whom God in his infinite mercy has been pleased to take to himself about 4 months agoe, by whose death y^{e} Succession of y^{e} Crown of England Scotland France & Ireland is fallen to y^{e} most high and mighty Princesse Anne whom God long preserve to reign over us

I am appointed by Her Maj^{es} Royall Commission to succeed the late E of Bellemont deceased in the command of this Government, & doe therefore assure you in y^{e} name of that great princesse Anne Queen of England &c my mistresse that you shall have all y^{e} Protection favour & Countenance imaginable as long as you continue in due obedience @ subjection to the Crown of England as your Ancestors have done before you, and I have sent for you in the beginning of my Governm^{t} to renew the Covenant Chain between us according to y^{e} ancient Custome wherein is included all Her Majesties subjects in this main of America, viz Virginy, Maryland, New England and all y^{e} rest of y^{e} English Provinces and Colonies in this Northern Continent and hope it will be more lasting and bright now on y^{r} parts, than ever it was formerly, and that you will answer that good Character I have heard of you in England

I understand y^{e} French of Canada have lately made a Fort at Tjughsaghrondie, between the lake of Swege and Ottawawa at which y^{e} brethren seem much concerned, I desire to know y^{e} truth of y^{t} matter and what force they have there and how many men they have in Garrison with y^{e} farr Indians

I am desirous to know y^{e} State and condition of your country y^{e} Strength of your People how many have deserted their native Country since y^{e} Peace & gone to Canada, and what are y^{e} Causes of their desertion, and what would be the proper meanes to retreeve them and prevent the rest from the like defection

I am also desirous to know in what State you are with your neighbours called the Twightwighs Dionondadees and the other Nations lying contiguous to them whether y^{e} intended Treaty of Peace with those farr Indians has had its desired effect, and if not where the difficulty lyes

It is also requisite I should have an account of your late Treatys with y^{e} French of Canada whether Publick or Private, and whether any of your Sachims are gone thither lately, and

upon what businesse, what late Messages you have received from y^e^ Gov^r^ of Canada what Fortifications y^e^ French have made lately and how situate or whether they have made any further Incroachments upon y^e^ Brethren's Land, that I may be able truly to represent things home to my great Mistresse Queen Anne

Now to show y^e^ brethren that I concele nothing from you of any News that comes from Europe, I doe now acquaint you that we have a Rumor that there will be a warr between England and France, and I am informed y^e^ French of Canada design to keep back their Indians from committing any Acts of Hostility, and some of y^e^ Canada praying Indians that are now here a trading, seem to be very fond of a Peaceable hunting and are desirous that I may be instrumental and contribute towards their future Peace and Tranquility; I need not tell you what y^e^ French are, I understand that you have had the Tryall of them often to your Cost, if they be reall in this it is because their Interest leads them to be, I doe not design to trust them neither would I have y^e^ Brethren doe it but be upon their Guard, nevertheless if y^e^ warr breaks out I would not have y^e^ Brethren be y^e^ first aggressors nor commit any Acts of hostility upon the French or their Indians without directions from me, but if y^e^ French begin first upon us or any of y^e^ Brethren in League with us, we must joyn unanimously and make warr upon them with all Vigor, & not make a lingring war as y^e^ former was I know they will be threatening of you and forcing Priests upon you in your Country but I must tell you not to fear the one nor suffer the other as you tender y^e^ Preservation of y^e^ Covenant Chain

I hear that you Onnondagues are going to build your Castle 8 miles nearer Susquehanne River towards y^e^ Southerd, I wish I had been here sooner to advise you to build your New Castle nearer us towards Oneyde where there is better land and more convenient to be assisted upon occasion

There has been great divisions and annimosities among you of late not only occasioned by the French of Canada, but by some evill affected men among [you] who to serve their own private ends and gratify their own malice without regard to the honour and Interest of her Majesty or the Welfare of this Province have encouraged Faction and parties first among the Christians and then among the Brethren if you will discover who they are, I will take such a course with them that they will be cautious another time and I hope you will also take care that those incendiaries be curb'd and severely punished, and for the future you are only to hearken to those whom I shall appoint to manage the Indian Affairs & none els.

I have received express commands from y^e^ great Queen of England my mistresse to build such Forts for our and your security as I shall see convenient I design to goe about it with all expedition, first with y^e^ Fort at Albany and then at Schennectady and oy^r^ out Garisons which I design to view speedily to which Forts you and your Wifes and Children may retire in time of danger where y^e^ shall be succor'd and protected from all assaults of y^e^ Enemy

As to the 2 Ministers that were appointed for y^e^ Instruction of y^e^ Brethren in y^e^ Christian Faith one here at Albany and y^e^ other at Schonectady I understand that y^e^ Brethren have been told that y^e^ Minister of Schonectady was alone appointed for y^t^ work and not y^e^ Minister here, I desire to know who is the Author of that Story since I find upon your own request 2 years agoe, the Minister here was directed to take pains with you and learn your language y^e^ better to enable him to serve you in y^e^ work of y^e^ Gospell and y^e^ interpretesse appointed to be his assistant in that affair as formerly I reckon this has been foment^d^ by those Restlesse Spirits, who of late have endeavoured to disturb the peace of the Government, but I shall take care to prevent such wickednesse for y^e^ future, and you may be assured that those that are inclined to be Christians shall have all y^e^ Incouragem^t^ imaginable

I shall not burthen your memories with more discourse, only one thing I must recommend to you to send those Gent^{n} whom I shall appoint to manage y^{e} Indian Affaires here an account of all news, that comes to your Country & of all remarkable occurances among you, who will take care to send me an account thereof with all convenient Speed

Now Brethren I shall conclude with a hearty Recommendation to keep an Inviolable Fidelity and obedience to the Great Queen Anne my mistresse and to continue in a Steddy affection and Friendship with us your Brethren and Fellow Subjects, You cannot give y^{e} Queen a better Testimony of your Loyalty to her than by keeping a Covenant Chain firm bright and inviolable and being obedient to her commands, upon these Terms I doe take upon mee to assure you of y^{e} Queens motherly care and Protection of you & in token of Her Majesty's grace and favour to you I doe give you a present by Her directions Viz^{t}

1 Belt & 500 gilders strung Wampum	1500 C^{t} Lead in 1000 Barrs
100 Gunns	1 Cask of Pipes
5 p^{s} Strouds	600 lb Powder in 200 bags
2 p Duffells	100 Gals of Rumm in 50 kegs
2 P^{r} Blanketts	1 Cask of Tobacco Spunn
80 Hatchets	2500 Flints
15 Lac'd Hatts	100 Pare Stockings
150 Knives	200 Wheat Loaves
15 Brass Kittles	12 Casks of Beer

5 Live Cattle

Sinnonquerese a Maquase Sachim stood up and prayed that y^{e} Rum given in y^{e} present might be lodged somewhere till their Conference was over since they are now just begunn and if their People shou^{d} fall a drinking they would be unfitt for businesse, upon which it was ordered to be lodged in M^{r} Livingstones seller

P Schuyler

Johannes Bleecker May^{r}
J Abeel, Recorder
Jes. Reeseboom Ald'man
David Schuijler Aldm^{n}
Johannis Schuyler
Alderman.

Rob^{t} Livingstone
Sêcry for the Indian Affairs

Dirck Wessells
Justice of Pace

His Excellency my Lord Cornbury's answer to the Canada Maquase Praying Indians in Albany y^{e} 16 day of July 1702

Children

Being informed that you are inclined to return to Canada speedily, I shall not detain you but give you an answ^{r} to what you proposed to me, tho' in effect you have heard it answered yesterday in y^{e} Publick Propositions to y^{e} 5 nations.

I return you thanks for your complement in bidding me welcome to my Government & wishing me well I shall be so far from envying your happiness in your peaceable Hunting that I will rather contribute towards it as you desire, provided you hearken not to the French to disturb any of the brethren which are in League with us; for tho you have deserted your native Country & subjected yourself to the French, yet you see that you have the same

Priviledge of Trade with us as ye Brethren of ye 5 nations have where you find better pennyworths then at Canada, & if ye inclination to your Country or the Christian Religion will induce you to return to your people and kindred the same houses which you left are still open to receive you with all the Treasure of a Plentiful Country which can make you for ever happy

As to the question you ask whether I think you Governour is Reall in his Proposalls to you of neutrality you will be the best judges of that, if ye Warr breaks out, only I must be plain with you and Reall too, yt if you suffer yr selves to be deluded by ye French or any oyr to make Warr upon any that we are in allyance with, you must expect to loose not only the benefitte of ye peaceable Hunting which you so much value, but we will all joyn to destroy those that shall first take up the hatchett to kill any of ye Brethren that are link'd in our Covenant Chain was given to the said 3 Indians

3 Faddom Strouds. 3 Bags Powder. 3 Lacd Hatts 15 Barrs Lead 6 Faddom of Tobacco

Johannes Bleecker Maijor — P Schuijler
J Abeel Recorder
Jes Rooseboom Aldmn — Robt Livingstone Secry for ye Indian Affairs
David Schuijler Aldmn
Wessel Ten Broeck Aldmn
Johannis Schuijler Aldmn — Dirck Wessells Justies of Pace

Albany 16 July 1702

The 3 Canada Praying Indians answered.

Father Corlaer

We thank you for easing of our minds, our hearts are light and rejoyced at your answer we will take care to give our Sachims an account of what you have said, we reckon it would be a great Crime if we should not deliver this message which is of so great moment, with all ye faithfullnesse Imaginable

You need not doubt but we will comply with what your Lordship Proposes as being very desirous to continue in the Peace and Tranquility we now enjoy

Father

We shall not answer to this belt particularly now you may expect an answer to it in the Spring from our Castle

Johannis Bleecker Maijor — P Schuijler
J Abeel Recorder
Jes Rooseboom Aldmn — Robt Livingstone Secry for ye Indian Affairs
David Schuijler Aldmn
Wessel Ten Broeck Aldn — Dirck Wessells Justies of Pace
Johannis Schuijler Aldn

Propositions made by his Excellency Edward Lord Cornbury Captn Generall @ Governour in Cheife of her Majesties Province of New York &c to the River Indians in Albany ye 17 July 1702

Children

I doubt not but you have heard the sad News of the death of ye High and mighty Prince King William ye 3rd whom God was pleased to take to himself about 4 months, by whose

3 Onnondage

Otsakana
Sadekanaktie
Kachradagie
Tediathahasere
Sonachtowanne
Sighrena
Tchachoserodochquat
Ogochsagrena
Achiro
Karantsiondie
Tohagasiode

4 Cayouges

Osidadege
Oswasse
Sodsiowanne
Ossawedegichte
Tasochtachoanne
Ajeriage
Arigera
Towadicho
Ogindeonha

5 Sinnekes

Wakajenquarachto
Towarekennio
Tawienneha
Tostowathe

The Sachims of y^e^ 5 Nations appear^s^ before his Excellencys lodging at y^e^ place prepared for their reception sung a sorrowful Song, which they had made upon y^e^ death of his late Maj^ty^ King William y^e^ third of blessed memory which being ended said they were glad that the most high and mighty Princess Anne succeeded to the Crowns of England Scotland France & Ireland and these Dominions here in America, whom they wish may reign long and prosperously over them

Onuchenanorum one of y^e^ Sachims of y^e^ Maquase stood up and said

Brother Corlaer

We are glad that the great Queen of England has been pleased to send your Lordship over to be Governor of this Province and that you are safe arrived to us over y^e^ Salt Water

You have been pleased to send for us and we are come upon your message and have been made acquainted with the death of King William which is matter of Greif to us, but on y^e^ other hand we rejoice to hear that Queen Anne succeeds to y^e^ Crown & is now placed upon y^e^ Throne of her auncestors

We are very desirous that the peace which we have enjoyed for some years past may continue, and pray that y^e^ Covenant Chain may be kept inviolable by your Lordship which we now renew according to our Custome @ y^t^ Quider meaning Côll: Schuyler may cheerfuliy continue to keep y^e^ Covenant Chain fast do give 10 Bevers

We Sachims of y^e^ 5 Nations are rejoyced to hear that y^e^ Succession of y^e^ Crown of England is continued in the right line, and that y^e^ Queen is of the Protestant Religion as his late Majesty was, we give a present of 10 Bevers to make Her Majesty fine withall

Since it has pleased God to take King William to himself into Heaven, we doe bury y^e^ Remembrance of it. Condoling his death and as a token thereof doe give 10 Bevers

We speak now to our Brethren y^e^ Sachims of Albany that is the Commissioners for y^e^ Indian affairs and not to our Brother Corlaer who is come over the sea, you know we said a great deal last year in our Publick Propositions when the Lieut^t^ Governor was here, and desired severall things to be done which if they had been comply'd withall, would have proved to our future advantage and welfare as well as yours, but we find by y^e^ divisions and Partyes

that has been among you you have minded nothing of what we so earnestly requested, and we have no answer from England to this day which we so much long'd for, you have thrown all our Propositions which we made last summer in the water at y^e^ mouth of this River, Neverthelesse we do now again renew our Request which we made last year to you our B^r^ Corlaer who is sent by Her Majesty to the end that our Great Queen Anne may have a true and right Information of y^e^ State of our Affaires, doe now again give 10 Bevers alltho' we threw away severall Bevers last year upon this Proposition and hope our request which we then made may be comply'd withall

You have renewed the Covenant Chain 3 days ago and we y^e^ 5 Nations doe now the same, our Covenant Chain is so strong that y^e^ Thunder and Lightning cannot break but neverthelesse we must beg leave to inform you that we have had but little assistance from our Brethren during y^e^ late warr, we have been forced to wage war alone & lost many of our people but see none of our brethren either to assist us or to revenge the blood of those we had lost by y^e^ French

Brother Corlaer

In your Propositions to us 3 days ago you tell us that in all liklyhood there will be a war between England and France, and y^t^ we are to sitt still and not to take up y^e^ Hatchett first; we are glad to hear your Proposition, and approve of it extreamly and if any of y^e^ French or their Indians, begin with us or y^e^ Brethren, we will then come & consult with our Brother what proper means are to be taken to destroy y^e^ enemy

Brother Corlaer

You demand the reason why our Indians goe to Canada, that is easily answered, for in y^e^ first place the goods are cheaper there than here, & y^e^ Elk & mouse skins are a better commodity there than here, moreover your weights are too heavy which you weigh the Bares and other skins withall, and we are oftentimes not fairly dealt with by y^e^ Traders, and lastly the River of Cadaracqui is easier to go down, being with y^e^ Stream, then to come hither with the heavy Elk and moese skins And in answer to what you say, which w^d^ be the best means to Retreive our Indians bak from Canada, lett y^e^ Goods be cheaper and then there is no doubt, but they will return very speedily

We Sachims of y^e^ 5 nations are unanimously come to this Resolution not to suffer any Popish Priest to come into our Country, & as soon as y^e^ goods are cheaper here, then we will consult about having ministers in our Castles, to instruct us in y^e^ Christian faith for then we can afford to buy a good honest Coat to go to Church withall, which we cannot now, for it would be scandalous to come to Church with a Bear Skinn on our backs

You did also desire to know what Incroachments the French have made upon your country in answer whereunto we acquaint you that they have in the first place had Cadaracqui long agoe which lyes on our side, and is built upon our Land, but we never see any care has been taken to remoove them, they have on the oy^r^ end of us built, noe longer agoe than last year another Fort upon our Land without consent, at a Place called Tjughsaghrondie with high Pallisadoes, and have a garrison of a hundred briskmen in it who have most of them brass Gorgetts about their necks, we do now acquaint you with it & leave it wholly to your Lordship to doe therein as you shall think fitt

As to your Lordships resolution relating to y^e^ building of Forts here it is very good, we have been promised formerly that we should have a 'stone Fort built at Onnondage but it never was p^r^form^d^ & so have putt it quite out of our heads

Wee are glad to see your Lordshipp and that quider that is Coll Schuyler stands at your side, we do make this house where we do have our conference Clean and are heartily Glad, that all dark clowdes are dissipated, and that we see matters retired, and things runn in y^e^ right Channell again, and to see those who always have had y^e^ care and management of our affaires to have your Lordships favour & Countenance, we doubt not but y^e^ publick affaires of y^e^ 5 Nations will now have good success—did give 4 or 5 small of Bever

Awanay a Sachim of y^e^ Mohags in y^e^ behalf of y^e^ Maquase Praying Indians stood up & said

Brother Corlaer

There has been feuds and animosities among us Christian Indians, and last summer we were recommended to amity and Friendship but it hath not had that good effect upon us as could have been wished for, we have been lately exhorted by your Lordship at M^r^ Lydius's y^e^ ministers house to unite as Christians and not to live in envy and malice, which are the works of Satan, not becoming Christians, but to live in Peace and concord, and then God would blesse us, which last exhortation hath so wrought upon our spirits, that we are now all united and friends, we return y^r^ Lordship our hearty thanks for y^e^ pains you have been pleased to take in y^t^ affair, and as an acknowledgem^t^ of our Gratitude give a belt of Wampum

The said Awanay acquainted y^e^ 5 Nations that in regard they had also recommended them to unity they had followed their advice, & that there was now a thoro' reconsiliation and as a token thereof gave y^e^ 5 Nations a Belt of Wampum

His Excellency told y^e^ Sachims of y^e^ Five Nations that he would consider of what they had now said and would in a short time give them an answer

P. Schuijler
Rob^t^ Livingstone
Sêc^ry^ for y^e^ Indian affairs

Dirck Wessells
Justies of Pace

Albany 19^th^ July 1702

Present—Coll P Schuijler Maj Dirck Wessells Capt^n^ Sam^l^ Vetch

Ten Sachims of y^e^ 5 Nations came and waited upon his Excellency my Lord Cornbury viz 2 of each nation and pray'd leave to explain some of the Propositions which they made yesterday

Wee insist again that your Lordship would be pleased to hearken to us, and take care that our Propositions may not be so sleighted and thrown in some hole, as they were last year, for we not only conveyed a considerable Tract of Land to y^e^ King and delivered the deed to Capt^n^ Nanfan then Lieut^t^ Governor, but acquainted him how that y^e^ French incroached upon our country and prayed him to send a person over to y^e^ King with y^e^ said conveyance & named our Secretary M^r^ Livingstone as a fitt Person who would have given His Majesty an account of all our affairs, how that y^e^ French possesse themselves of our Country build Forts without our leave, & will penn us up that we shall not be able to hunt, but we see there is no notice taken of what we said, but our Proposition thrown in some Pitt disregarded

Wee pray that what we requested last year about that subject may be complyed with and that M^r^ Livingston Secretary for our affairs may be sent to acquaint y^e^ Great Queen of England with y^e^ state and condition of us and our Country and that ship with good Sayles may be provided for him accordingly

Wee forgott to answer your Lordship yesterday concerning y^e^ rendring an account of y^e^ number of our People we cannot conveniently now give your Lordship an exact acc^t^ but shall do it as soon as we can. Your Lordship in your propositions requires an account of y^e^ affairs of y^e^ Country & how affaires stand relating to y^e^ farr Indians &^c^ which we are now come to give

Upon which one of the Sachims of the Sinnekes stood up and said

That there was about 24 of y^e^ farr Indians called Twichtwichs and Dionondadees came to their Castle this spring and told them they were bound for Canada to Trade; and withall acquainted them, that they would deliver up y^e^ twelve Sinnekes Prisoners which they had taken in Warr and desired that they might send for them, upon which y^e^ Sinnekes ordered Owenano one of their Sachims to goe and fetch them from Tjughsaghrondie, they said further that all y^e^ five nations ought to be acquainted with this their resolution as also Corlaer y^e^ Governour of New Yorke for y^e^ Governour of Canada has ordered that said farr Indians should make Peace with y^e^ Sinnekes, and that there should be an exchange of Prisoners on both sides and they were now going to the Governor of Canada to acquaint him, that they had complyd with his desire, and upon this proposition they laid down a Belt of Wampum to y^e^ Sinnekes

The said 24 farr Indians said further to the 5 nations we are now come to live at Tjughsaghrondie at one end of your house and having now conclud^d^ a firm Peace with you which y^e^ Dowaganhaes have done in like manner, we must tell you not to trust too much to y^e^ Dowaganhaes for they are a brutish People, and if any of your men happen to be killed by them we would not have you take up the Hatchett against them before you acquaint y^e^ Gov^r^ of Canada with it, and they will doe the same if your People should by chance kill any of them, that soe the matter may be composed, and not come to an open rupture for the Governor of Canada has given such directions, that if either nation should send out a Troop to War upon y^e^ other, he will have your Troop or Company if they were 30 delivered up to him to be punished and if that nation or castle should refuse to deliver up the said Company y^t^ had so gone out to War without first acquainting therewith, then he would make War upon that Castle & nation & then there was another Belt given by y^e^ said farr Indians

The 2 Belts so given we did present to y^e^ Oneydes and Cayouges Maquase and Onnondages

An Onnondage called otsakana said that there was a Sachim of their Castle called Great wald[1] out a hunting this Spring a Frenchman comes to him, and bids him to go to Canada which he did, and coming to Mont Royall he went to Mons Marricour and the Preest who said they had not sent for him neither knew they anything of y^e^ matter, upon which he returned again to his hunting, @ now when y^e^ Sachims were upon their way hither & gett as far as y^e^ small carrying place a messeng^r^ sent from y^e^ Gov^r^ of Canada overtook them and ask'd them to goe to onnondio y^e^ Gov^r^ of Canada but they told him they were sent for by Corlaer y^e^ gov^r^ of N Yorke & were going to him & w^d^ not go to y^e^ Gov of Canada

His Lordship told him that they sh^d^ abide by their conclusion yesterday not to take any Preests into their country

P Schuijler. Rob^t^ Livingstone
Sec^ty^ for Indian Affairs

Dirck Wessells justies of Pace,

Albany y^e^ 20 July 1702

The 10 Sachims being sent for his Excellency my Lord Cornbury told them that he perceived the Principal matter that they insisted upon was the [Proposition] relating to that conveyance of

[1] world. *post.* p.992. — Ed.

y^e^ Tract of Land they made last year, which they alledge was not sent to England together with the account of their Country, How y^e^ French invade the same & incroach upon them dayly & that y^e^ person they had proposed to go to England to represent these matters was not sent according to their request.

His Excellency has inquir'd about that matter and finds that their request has not been comply'd withall but he will take care not only that y^e^ said conveyance be sent home to England but also an account how y^e^ French encroach upon their country, & will send a person to y^e^ great Queen who will be able to inform her Majesty of all their circumstances and his excellency told them further he would send them word when y^e^ person went, and when he returned

His Excellency told y^e^ said Sachims of y^e^ five nations further. I am informed that some of y^e^ brethren have a wrong notion of matters relating to y^e^ farr Indians coming hether, as if by their comeing Goods would rise and be dearer, which is just the contrary, for the more Bevers that comes the more Goods will growe cheaper, therefore I conjure ye not only to lett y^e^ farr Indians come freely throw your country, but you must assist them in your passage hither

His Lordship told them he had no more to add but that they would be mindful of what he had already said p^r^ularly of 2 things viz^t^ that if a war happens not to be the first aggressors upon the French or their Indians & in y^e^ 2^d^ Place not receive Priests into their Country which the promised to observe very carefully

Then my Lord told them to be careful when their young men went home not to kill peoples Cattle as they passed by which they promised to take care of

P Schuyler
Rob^t^ Livingstone
Secry for y^e^ Indian Affairs

Dirck Wessells justies of Pace,

Answer made by the River Indians to his Excell^cy^ Edward Lord Cornbury Capt^n^ Gen^ll^ and Governor in cheiffe in Albany the 20^th^ day of July 1702

Present—Coll P Schuyler of Her Ma^tys^ councill
Capt^n^ James Weems Commander
Johannes Bleeker Jun^r^ maijor — Joh Abeel Recorder
Johannes Schuijler, David Schuijler, Johannes Rooseboom, Wesselten Broeck } Alderman
Capt^n^ Sam^l^ Vetch
Capt^n^ Lancaster Symes — Ovreel Van Suieten
and divers other gents that came with his Excellency from New York
Maj D Wessells & Capt^n^ John Schuijler } Interpreters

Father

We have had a great concern upon us ever since we heard that your Lordship our Father was a coming over y^e^ salt water fearing that the ship that your Lordship was embark'd in would beat against some Rock or Sands or that you would meet with Storms, but since God has been pleased to send you safe to us, we are extreamly glad, & thank God for your deliverance, give 2 Bevers

Father,

2 You desired to know our number and the Strength of our people which we now acquaint you withall viz^{t}

110 Indians at Skachcock
87 below y^{e} Towne

In all 197 fighting men give 2 Bevers

3 Since your Lordships arrivall we have had the sad news of the death of King William y^{e} 3rd which greived our hearts much but we hear that y^{e} sun shines again in England and that we have got a great mother meaning Queen Anne, who succeeds on y^{e} Throne of England Scotland France and Ireland, which rejoices our heart extreamly doe give 3 Bevers

4 You have told us to be vigilant and to look out and be goods spyes & acquaint you what news comes, our young men say they will hearken to your Recommendation and look out narrowly and give their Brethren of Albany an account of all occurrances what come to their knowledge, do give 3 Bevers & a deer skin

Father

5 You renewed the Covenant Chain 2 days agoe, & we come now and ratify y^{e} same & make y^{e} chain stronger, which has been kept inviolable, between us and y^{e} Christians of this Province this 90 years, and let it goe what way it will we will stay at Skachkock and you may be assured if we hear any thing of moment we will send you an account thereof from Skachkook did give 4 Bevers

Father

6 You have told us that we shall be taken into your Protection, and our Wifes & Children succord in time of danger we are all thankfull to your Lordship for your tender care and affection, and hope we shall so behave ourselves as to deserve y^{e} Continuance of your Favours doe give 3 Bevers

Father

7 About 26 years agoe S^{r} Edmund Andross then Governor of this Province, planted a Tree of welfare at Skachkook and invited us to come and live there which we very luckily complyed withall, and we have had the good fortune ever since that wee have encreased that Tree and y^{e} very leaves thereof are grown hard @ strong, the Tree is grown so thick of leaves & Bows that y^{e} sun can scarce shine throw it, yea the fire itself cannot consume it, meaning that they are now so strong, that they do not much fear y^{e} enemy, and we now desire, that our Father Corlaer may strengthen that Tree and cause y^{e} leaves to grow so thick that no sunn at all may shine throw it do give 4 Bevers

Father

8 We are thankfull that you confirm and settle that tree that is planted at Schachkook and have desired that we shall invite our Brethren and relations to y^{e} Eastward to come and live among us, we design to use all endeavours to persuade them & all other Indians to come and settle there, and for their incouragement, we will goe with the Covenant Chain and tell them they shall be included therein & doe give 2 Bevers

Father

9 You have been pleased to direct that we shall goe out, and hunt peaceably and give no offence nor take up the Hatchett first if a war should happen, we will obey your Lordships commands for why should we not, since we are inclosed in your heart & if y^{e} French or any

of their Indians shall first attack us we will come & acquaint you before we take up y^e^ Hatchett for revenge doe give 2 Bevers
Father

10 There are sometimes Indians that in their drunken fitts will be apt to sell y^e^ Land at Skachkook, by which means our young Indians will be scatter^d^ and dispersed and therefore pray that no such thing may be tolerate, but that a Record may be made, that they may live peaceably at Skachkook for y^e^ future as they have done hitherto doe give 2 Bevers
Father

11 We are glad that we have now got a mother as well as a father and doe bid my Lady Cornbury heartily welcome and do present her with an otter for a muff which they pray Her Ladyship to accept of
Father

12 We thank you for your care and circumspection that none of our People should be Duckoyed to goe to Canada to live there, we will take particular care to prevent that, and if any should design to remove with there wife and family we will forthwith acquaint our Father with it but if any of y^e^ young men should be out a hunting and goe thither, that must not be regarded or taken for desertion for they will return back again doe give 2 Bevers

13 You desire to know what is become of those Messages that are gone from time to time to y^e^ Eastward to draw those Indians hither, and y^e^ cause of their stay, the only reason of their stay is y^e^ French Priests that is in their Castle they detain them from coming did give some Elk Skinns

P Schuijler

J Abeel Recorder
Dirck Wessells
justies of pace
Johannes Cuijler
Alderman

Rob^t^ Livingstone
Sêcry for y^e^ Indian
Affairs

The Sachims of the Five Nations haveing received an Expresse from their Country came to his Excellency my Lord Cornbury @ acquaint^d^ him with y^e^ contents thereof on the 21^st^ July 1702

Present—Coll P Schuyler of y^e^ Councill
D Wessells

Sadeganaktie one of y^e^ Sachims of Onnondage saith,

That y^e^ Governor of Canada hath sent for 4 of y^e^ 5 nations to come to him to Canada to wit a Sachim from each castle that is Dekannissore from Onnondage, ochquariogichta from Cayouge, & nehassachqua from y^e^ Sinnekes & the Cheif Sachim of y^e^ Oneyde, the Governor of Canada says further that he knows y^e^ minde of y^e^ Governour of New Yorke and that the sachims of y^e^ 5 nations are now all with him, & therefore expects they will bring an account of what Treaty and negociation they have with Corlaer that is y^e^ Governor of New Yorke The Governor of Canada has sent also for an onnondage called y^e^ Great world to come along with y^e^ Sachims to be their servant

The Sachims being askd who brought this message to Onnondage & from thence hither

They say a Canada Indian called Tchewie and an Onnondage Indian called Tchaiadoris brought the message to Onnondage, about 8 days agoe and an onnondage called Sennagariago brought y^e^ news hither 2 days ago

Brother Corlaer

Since y^e^ receit of this message we have been somewhat confused and in disorder by some of our people being disguised in drink, but as soon as it was over we acquainted your Lordship with it, because nothing should be concealed that comes to our knowledge, for we remember that it was said in y^e^ Propositions that we are to have one eye and one ear, alltho' you sometimes write to Canada, & we know nothing of y^e^ matter & laid down the 7 bands of Wampum sent by the Gov^r^ of Canada to y^e^ s^d^ 4 nations

His Excellency told them

That he took it well that they communicated y^e^ message to him, which is a mark of their esteem for y^e^ Covenant Chain which Proceedings His Excellency recommended them to follow with all y^e^ strictnesse imaginable & that they will continue this as long as any such thing happens

His Excellency told y^m^ further that he thinks it no ways convenient for them to hearken to any Proposition from y^e^ French at this juncture because of the uncertainty of Peace or warr, but as soon as his Lordship comes to New Yorke he does not question but he will have instructions from England of which he will send y^e^ Brethren of y^e^ 5 Nations forthwith an account with directions how to behave themselves for y^e^ future in relat^n^ to y^e^ French

And if there be a war between y^e^ two crowns of England and France his Lordship will give them an account from time to time of what happens & also Instructions how they shall demean themselves and so His Lordship gave them 7 bands of Wampum & wished them a good journey home

P Schuijler
Rob^t^ Livingstone Sec^ry^
for Indian affairs

Dirck Wessells
justies of Pace

Albany y^e^ 22 of July 1702

Sadeganaktie otsagana of y^e^ Onnondages and Wackaginquarachto of y^e^ Sinnekes in behalf of y^e^ 5 Nations came with Hilletie the Interpretesse and told M^r^ Livengstone Secretary for the Indian affairs to acquaint His Lords'p who was gone to Schonnectady that altho y^e^ Maquase were ready to go to Canada with their Prisoners, yett it was now concluded by y^e^ five nations upon y^e^ Proposition His Excellency y^e^ Governor made yesterday that none should goe to Canada till they heard further from his Excellency

P Schuijler

Rob^t^ Livingstone
Secretary for
y^e^ Indian Affairs

Dirck Wessells
justies of Pace

A conference between the Maquase and His Excellency Edward Lord Cornbury Capt^{n} Gen^{ll} and governor in Cheiffe at Schinnectady the 23rd of July 1702

Onacheranorum Speaker says

Brother Corlaer

Our Sachims were at Canada last summer, when y^{e} Governor of Canada proposed (being now Peace) that all Prisoners should be delivered on both sides & that we should bring ours, and they would deliver up theirs which y^{e} 4 Nations have done but not wee Therefore we desire to goe & receive ours & Pray that Brant and Awanai and some oy^{rs} may goe for y^{t} expedition & they oblige themselves to return in 30 days time

His Lordship answered

That if they had made this Proposition to him when all y^{e} 5 Nations were together he might have done something in it, but since it was resolved by all y^{e} Brethren y^{t} no body should goe untill we hear further, I cannot now consent to it

Propositions made by the River Indians to His Excellency Edward Lord Cornbury Capt^{n} Gen^{ll} @ Governor in Cheiffe in Albany y^{e} 28th July 1702

PRESENT—Coll P Schuijler of H^{r} Maj^{ties} Councill
D Wessells J Abeel J Schuijler

Suckquans Speaker

Father Corlaer

1 We do very well remember what you told us 8 days agoe, that if any accident happen'd to us, or if any thing occured more then ordinary we were to communicate y^{e} same to your Excellency in Pursuance of your Commands we are come to acquaint you with what has lately happened, doe give a faddom herewth

2 We must acknowledge that our people are much given to Intemperance, and are apt to be disguised in drink in our Castle, and often abuse one another, but that is among ourselves, neither doe we know that our people ever hurt or killed any Christian except one Stuart who was murdered by two North Indians 30 years agoe, & the two murderers were both execute gave a faddom of or Wampum

3 There is an accident now happened to one of our People called Minichque who is desperately wounded by 4 Negroes, who have confessed y^{e} fact & are now in Prison, we thank your Lordship for y^{e} great care you have had in dressing of his wounds, & causing him to be so well look'd after, we are now going to y^{e} Maquase Country to renew the Covenant, according to our Custome, leaving some young men & Squass to attend y^{e} said wounded man, we pray your excellency if he should happen to dye in the mean time, to send an expresse to acquaint us with it gave a faddom of Wampum

His Lordship answered that he takes it very well their acquainting him with their going to y^{e} Maquase Country, & that he will not only carefully cause y^{e} wounded man to be look^{d} aft^{r} but punish y^{e} offend^{rs} accord^{g} to their deserts, & if their wound^{d} brother sh^{d} happen to dye in y^{e} mean time His Ex^{lcy} will send y^{m} word by express accord^{g} to their Request

J ABEEL Rec^{dr} JOHANNIS SCHUYLER Ald^{n} P SCHUIJLER
DIRCK WESSELLS JOH^{s} CUYLER Ald^{mn} ROB LIVINGSTONE Se^{y}
justies of Paco for y^{e} Indian Affairs

Proposalls made by Hendrick and Joseph two Maquase Christian Indians to his Excell^{cy} Edward Lord Viscount Cornbury Capt^{n} Gên^{ll} & governour in Cheife of her Majesties Province of N Yorke in Albany the 9th day of August 1702

PRESENT—Coll P Schuyler of Her Mat^{ys} Councill
Joh Bleecker Maijor
John Abeel Recorder
Joh Schuyler } Aldermen
Joh Cuyler }
Capt^{n} James Weemes

Brother Corlaer

Wee were told last year by the Leutenant Gov^{r} that when we design^{d} to goe to y^{e} Eastward to y^{e} onnagonges that we should first come & acquaint y^{e} Governor therewith, and we are accordingly come to acquaint your Excellency that we are ready to goe to y^{e} Onnagonges with the first conveniency this is the 3rd time we have made y^{e} Government acquainted with this our Intentions, twice in one year 2 year agoe, moreover y^{e} onnagongues have been here thrice about y^{e} same time, to enter into y^{e} Covenant Chain, and desired to be received as Brethren, we told them, that they should be received as Children in y^{e} Covenant Chain, which they accepted of accordingly & gave 7 hands of Wampum

His Excellency ask'd them who had sent them? when they went & how many in Company, and what there businesse was there

They say they are sent by y^{e} Sachims & know not ye exact time when they goe, neither is their number yet concluded upon & their businesse is to confirm y^{e} Covenant between them

They were ask^{d} how long they would be by the way

Answer 3 months

Whether they intend to goe alone or to take some of y^{e} Shachkook Indians with them

They said, that would be in y^{e} Choyce of said Skachkook Indians

My Lord told them

That when they Proceeded on their Journey to call here as they went by, that his Lordship would send some message by them

My Lord told them also that when they returned, they should give an account of their negociation here to those Gentlemen his Lordship would leave the management of y^{e} Indian affairs withall

They said that was their duty and they would comply with it accordg^{ly}

P SCHUIJLER

JOHANNIS BLEECKER maijor
JOHANNIS SCHUYLER Ald^{mn}

ROB LIVINGSTONE Sec^{y}
for y^{e} Indian Affairs

Propositions made by y^e^ River Indians to his Excell^cy^ Edward Lord Cornbury Capt^n^ General & governor in Cheiffe &^c^ in Albany y^e^ 13 of August 1702

PRESENT— Coll P Schuyler, John Abeel, Majr Dirck Wessells, Capt J Weemes

Father

We are directed to acquaint you with what news we hear, and accordingly something have come lately to our knowledge we are come to inform you thereof do give 7 hands of Wampum

About two days agoe we see a canoe coming from hosak & were surprized because our People were all at home and it proved to be two Indians come from Pennekook who desired that all y^e^ Sachims of Scachkook should be conven^d^ who then said,

We are come from Pennekook to acquaint you that y^e^ Governor of Canada has sent us a message and desired the Pennekook Indians to break up and come & live at Canada, that there were houses Land and Provisions for their Entertainment & gave a Belt of Wampum

The said Messengers being sent by y^e^ governor of Canada repeated their Proposition and that they might be assured they should want for nothing, & gave another Belt

The said French messengers said further we leave it in your Choyce either to come to Canada or to the onnongongues but to remaine here at Pennykoke you must not by any means, y^e^ said Messingers gave 5 Belts of Wampum and told y^e^ Pennykoke Indians, that y^e^ Governor of Canada designed to send y^e^ Maquase Praying Indians to the River of Harford & designed to take Hudsons River himself

The Pennykoke Indians answered that they rejected y^e^ five belts and would not comply with y^e^ Governor of Canadas Proposalls, they were in amity with y^e^ Government of New York and the Indians of Scachkooks and y^e^ 5 nations & they would stick fast to that Covenant Chain with which answer, the messengers returned to Canada and y^e^ Sachims resolved as soon as they were gone to send 2 young Indians to acquaint this Government, with what had happened, y^e^ said two young men are here present with us the Sachims of Skachkook; and are called Paasquin & Ackkonepak

P SCHUIJLER
ROB^t^ LIVINGSTONE
Secry for the Indian affairs

DIRCK WESSELLS
justies of Pace

His Excellency the Lord Cornburys answer to the River Indians in Albany y^e^ 15^th^ August

PRESENT— Coll P Schuijler, J Abeel, D Wessells, Capt^n^ J Weemes

I am glad to see you so ready to acquaint me with what happens among you & that y^e^ Pennekokes are so sensible of y^e^ French Intrigues, if they consult their future safety & welfare they will persist in their Resolution to reject all Proffers made to them by the Governor of Canada, and adhere to y^e^ Covenant Chain, in which you and the five nations are link'd

I have had a great longing to hear from y^e^ Pennekoke Indians, and whether they will at last resolve to come and live with you at Scachkoke where there is land enough, and for their Incouragem^t^ you may tell them they shall not only have Land assigned them gratis but a Fort

shall be built of Stockadoes to secure you and them from any suddain attempts of y^e^ Enemy and in regard your Land is tough and hard to break, I will order next spring a Plow to break up y^e^ Ground for them to plant in and they shall be protected and secured as well as any other Indians under the Queen of Englands Protection

To y^e^ 2 Pennekook Messengers

You are to acquaint your Sachims with what I now say, and that I take it kindly that they sent you to my Children at Skachkook you shall always find me a true friend to y^e^ Pennekoke Indians, if they will come and live under the Protection of this Government, where you shall have land and a fort prepared for you, and therefore I hope your People will come early from hunting next spring, and for your further Incouragem^t^ if your people be inclined to be instructed in the Christian Religion the minister here shall teach them, I shall say no more but wish you a good journey home, I doe give you a Belt of Wampum to carry to your Sachims & each of you a gunn and a bag of Powder, & some lead and Flints

The River Indians reply'd They were glad that my Lord spoke so kindly of y^e^ Pennekoke Indians & sent them a Belt of wampum, they will as soon as they come to Skachkook ad a Belt to it and send it with y^e^ messengers

His Lordship told them that he heard a Squae was dead of y^e^ small Pox, that if they had brought her hither to Town, care would have been taken of her as was told them

The Sachims said there had been a court kept now four days about y^e^ negroes that killed Minichque, but they had not yet understood y^e^ conclusion, Prayed for Information

His Excellency told them

That y^e^ four negroes were condemned according to y^e^ English Law & that on Wednesday next they would be execute

The Sachim Sackquans says that when Minichque was mortally wounded, they see such great care taken of him by their father that they went to y^e^ Mohogs Country to pursue their publick businesse, in y^e^ mean time he dyed, and said before his death, that he was now going the way of all Flesh and had been a faithfull servant to y^e^ English, and enjoyned all his friends and relations whom he left behind to follow his example and to be courageous that nothing troubled him more than to be so treated by Negroes that have noe Courage nor heart, if he had dyed with his arms in his hands it would have been more satisfaction

Suchquans y^e^ Sachim adressed himself to Coll Schuyler. Robert Livingstone Secretary for y^e^ Indian affairs and Dirck Wessells, to speak to his Exc^llcy^ y^e^ Governor then present, that they now open their hearts and say. True it is they have lost a great Sachim Minichque but he upon his death bed desired that no revenge should be taken of y^e^ 4 negroes, that killed him he forgave them, and they therefore desired that said three persons, should intercede with his Excellency, that all y^e^ 4 negroes may be saved and prays that they may be reprieved accordingly

His Excellency told y^e^ Sachims to meet him on Wednesday next and he would give them his answer to their Proposition

The 19^th^ August 1702 Post merid^n^

His excellency sent for y^e^ River Indians and told them he had consid^d^ of their Proposition they had made about saving the 4 negroes but he could not gratify them in y^e^ whole since blood was shed blood must be shed again and therefore his Lordship had caused one of y^e^ 4 negroes to be executed (who was the principle Ringleader) this forenoon, as for the other

three, he had repreeved them, being willing to gratify them as far as he could and would cause further satisfaction to be given to y^e^ Relations of Minichque (y^e^ Indian lately wounded by y^e^ Negroes) according to their custome

The Sachims returned his Excellency thanks for his justice and Paternall care over them

P Schuijler
Rob^t^ Livingstone Sec^ry^
for y^e^ Indian Affairs

Dirck Wessells
Juities of Pace

Proposalls made by Dekannissore Cheiffe Sachim of Onnondage and two other Indians of said Nation to his Excellency Edward Lord Cornbury Capt^n^ Generall and Gov^r^ in Cheiffe in Albany y^e^ 17 of August 1702

Present— Coll P Schuyler, D Wessells, J Bleeker Mayor, J Abeel Recorder

Brother Corlaer,

I am glad to see your Excellency here in y^e^ house where we are wont to speak to one another

I am to acquaint you with a message which y^e^ Governor of Canada has sent to our four upper nations viz^t^ y^t^ 3 of each nation should go to Canada to treat with him but the Mohogs he has nothing to say to, as for my own part I will not goe but will send one of my family

Our Sachims were arrived two days before I came from home There are great divisions in Onnondage one half of y^e^ Indians are inclined to have a French Jesuit among them y^e^ other half are against it and many of those that are for y^e^ Priests seem to be inclined to hearken to Corlaer and to take a minister to instruct them in y^e^ Christian faith do give a faddom of Wampum

I am further to acquaint you that about 15 days ago, there are 10 of y^e^ Onnondages gone to Canada to speak with y^e^ Governor of Canada and 3 of the Cayouge whereof one is the principal Sachim, the Oneydes & Maquase have sent none neither do I know that y^e^ Sinnekes have sent any, having not been in y^t^ consultation

When y^e^ messenger came from Canada for some of y^e^ Sachims to go thither, we called[1] Aradgi a Sachim of Onnondage of y^e^ french faction came with him & told that a French Jesuit would come to Onnondage, & Tohonsiowanne[2] that is great world was gone to fetch him, but I Dekannissore told him I would tell Corlaer, & that I did not approve of it

Johannis Bleecker Mayor
Dirck Wessells
justies of Pace

Rob^t^ Livingstone Sec^ry^
for y^e^ Indian affairs

His Excellencys answer to Cannissore in Albany y^e^ 19 of August 1702

Present—Coll P Schuyler of her Maj^tys^ Councill
Joh Bleeker Mayor, John Schuyler
J Abeel Recorder, D Wessells

I understand that while y^e^ Sachims were treating with me other of your Sachims went to Canada to treat with the French Governor and departed two days before y^e^ other Sachims came home

[1] "a Council to which we invited him."—— or some such words seem to be omitted in the Text. — Ed.

[2] Compounded of, *Ohunjea*, the world, and *Gowana*, great. — Ed.

I cant be but surprized to hear that they are gone to Canada before they heard what was concluded here, since it is determined in the publick propositions that none should goe till further order

I understand also that some of your people are gone to fetch a Jesuit from Canada not with standing it was concluded by all y^e^ 5 nations not so much as to suffer one to come into your Country much less to send for him Now Brethren whatever I have promisd I will take care shall be religiously observ^d^ on my part, and since that is my Resolution I expect that what you have promised should in like manner be punctually observed, I am now sending over to England to be supply'd with ministers to instruct you in the Christian faith and therefore can stand in no need of any from y^e^ French I shall conclude and hold fast the Resolutions made when y^e^ 5 nations were here last, and hope y^e^ brethren will doe the same, in token whereof I give you a faddom of Wampum

Dekannissore told his Excellency that he beleived y^e^ French would be arrived in their Country in 12 days time

His Excellency told them that upon their allegiance they should either send y^e^ Jesuit back again to Canada or bring him hither, this is no new Proposition but that which has been concluded of long agoe

Dekannissore reply'd & said his Excellency should have an answer of this Proposall as soon as he came home

DIRCK WESSELLS justies of Pace
JOHANNIS BLEECKER Maijor
JOHANNIS SCHUYLER Aldr^mn^

P SCHUYER
ROB^t^ LIVINGTSONE Sec^ry^
for y^e^ Indian Affairs

Lord Cornbury to the Lords of Trade.

[New-York Entries, E. 268.]

To the R^t^ Hon^ble^ the Lords Commissioners for Trade and Plantations

My Lords

I herewith transmit to your Lordships the Acts of Assembly made in April and May last they are seven in all. The first is entituled an Act for continuing the Revenue for two years longer this is a specious title to give an opportunity to them to give away sûmes of money out of the Revenue therefore I hope that Act will not be confirmed. The next is called an Act for paying the debts of this Goverment made in the time of the late happy Revolution That which they call the time of the late happy Revolution was the time when Leisler usurped the Government here and robbed several of the Merchants of divers goods under pretence that they were for the Kings use And now the Province must be charged to pay those Rapines of a Rebell. The third is an Act that if confirmed will destroy the City of New York for it overthrows the Charter, The fourth is the only Act I have nothing to object against. The fifth is a most unjust Act; For either the people of this Province are entituled to the laws of England or they are not: If they are they ought not to be outlawed but according to the laws of England; If they are not it ought to be declared that the people may know what they are

to trust to and that an English Governour may know how to behave himself But by this Act here are men outlawed in ten days without any manner of proceedings before had against them The sixth Act is contrived for the burthening the people of some places in this Province who have already as many member of Assembly as they care to maintain. And the last Act is designed to ruin the Town of Kingstown in the County of Ulter These Acts were contrived and intended for the ruin of this Province therefore I hope they will not be confirmed except it be that for continuing the Commissioners of Accounts, I am

My Lords

Orange County
Sept: 29. 1702.

Your Lordships most
faithfull humble Servant

P. S. The Acts of the former Sessions being in the Secretaries office at York, I have ordered the bearer hereof to Seal them up and deliver them to your Lordships.

Lord Cornbury to the Lords of Trade.

[New-York Entries, E. 256.]

To the R^t^ Hon^ble^ the Lords Commissioners for Trade and Plantations

My Lords,

Your Lordships two letters relating to the Court of Admiralty of this Province came both safe to my hands, the first of the 17 of July, and the last on this morning. By those letters you are pleased to direct me to send you an account whether the Court of Admiralty here is established by virtue of the Commission that some of my predecessors had from the Lords Commissioners of the Admiralty, or by virtue of a clause under the Great Seal of England impowering them to erect the said Courts of Admiralty In obedience to your Lordships commands I have made the best inquiry I can, and find that the first time there was a regular Court of Admiralty here it was establish'd by Côll Fletcher by virtue of a warrant from the Lords of the Admiralty impowering him to appoint a Judge, Register and Marshall for the Court of Admiralty. After that in my Lord Bellomonts time there was a Commission from the Lords of the Admiralty appointing Côll Smith Judge of the Admiralty here, and since that M^r^ Atwood brought over with him a Commission from the Lords of the Admiralty constituting him Judge of that Court. This is the best account I can give your Lord^ps^ in answer to your letters, I hope it will be to your Satisfaction, I am

My Lords

Your Lordships most
faithfull humble Servant

Orange County
Sept^r^ 29. 1702.

CORNBURY

Lord Cornbury to the Lords of Trade.

[New-York Entries, E. 270.]

To the R^t Hon^ble the Lords Commissioners for Trade and Plantations

My Lords

I had forgot in my other letters by this conveyance to acquaint your Lordships that while I was at Albany during the time of the Conference four Negroes (belonging to some of the people of the Town assaulted and killed one of the Sachims of the River Indians, which was like to have made a great deal of disturbance But I immediately caused the Negroes to be seized and put into prison and granted a special Commission for the trying of them by virtue of which they were tryed and condemned Upon this the Indians came to my lodging and desired to speak with me I appointed them that Afternoon And when they came their errand was to desire the Negroes might not dye, declaring their Nation was satisfyed with the care I had taken to bring them to tryal and were very earnest with me that they might not be put to death. I told them that if some of them would come to me on the day appointed for execution, which was the next Wednesday following they would see how farr I would goe towards the gratifying of them; And upon that day he that was the most guilty was hanged, and the other three I have repreived till her Majesty's Pleasure should be known; which I intreat your Lordships to let me know, that I may behave myself accordingly. I am

My Lords

Your Lordships most

faithfull humble Servant

Orange County
Oct: the 1. 1702.

Cornbury

Lieutenant-Governor Nanfan to the Lords of Trade.

[New-York Entries, E. 249.]

To the R^t Hon^ble the Lords Commissioners for Trade and Plantations

My Lords,

I had great hopes before this to have paid my Duty to your Lordships at your Board but have been and am very unjustly detained, and very ungentleman-like used by my Lord Cornbury on a mere pretence that I am in her Majestys debt forcing me to pay subsistence to the 9 of May 1702 when he knows himself and Agents have received the subsistence and pay for the Soldiers since the 25^th December 1701, thô he never told me he had till the 17 September last, but has arrested me to prevent my going in the advice, in an Action at the Queens Suit for £5000 Sterling when the last Post from Boston brings me an Account of several Bills coming protested drawn for Subsistence since his Receipt which will inevitably fall on me and my Estate, without any hopes of Redress to myself and family after so general a Circulation as Subsistence to three or four hundred Soldiers. I see nothing before me but ruin unless your

Lordships honour me with your Patronage. I have this opportunity inform'd Mr Champante of my hard circumstances and desired the favour of him to sollicit my affaires, having given him all lights I can at present

My Lords I doubt not evidently to make appear when I am permitted to appear myself, notwithstanding all the dirt my Lord Cornbury has and may endeavour to throw on me, in order to vindicate himself, intirely to return it on his Lordship I am so well assured of your Lordships Justice that even in my affliction it gives me consolation, So will at present give your Lordships no further trouble but am

With great respect
My Lords
Your Lordsps most faithfull
and most obedient Servant
JOHN NANFAN

New York
6 Octr 1702.

Commission of Richard Ingoldsby, Esq., to be Lieutenant-Governor of New-York.

[New-York Entries, E. 247.]

ANNE R

Anne by the Grace of God Queen of England Scotland, France and Ireland Defender of the faith &c To our trusty and Well beloved Richard Ingoldsby Esq: Greeting. We reposing especial Trust and Confidence in your Loyalty, Courage and Prudence, do by these presents constitute and appoint you to be our Lieutenant Governour of Our Province of New York and the Territories depending thereon in America, To have hold, exercise and enjoy the said office or Place of Our Lieutenant Governour there for and during Our Pleasure With all Rights, Priviledges Profits Perquisites and advantages to the same belonging or appertaining; And in case of the Death or Absence of Our Right Trusty and Welbeloved Edward Lord Cornbury Our Captain General and Governour in Cheif in and over our said Province, We do hereby authorize and impower you to execute and perform all and Singular the Powers and Authorities contained in our Commission Granted unto him under Our Great Seal of England, and according to such Instructions as are already, or shall hereafter from time to time be sent unto him. And you ar to observe and follow such orders and directions as you shall receive from us, the said Edward Lord Cornbury or any other our Cheif Govrs of our said Province of New York and the Territories depending thereon for the time being. And We do hereby Command all and Singular our Officers Ministers and loving Subjects of Our said Province and Territories, and others whom it may concern to take due notice hereof and to yield their ready obedience accordingly. Given at Our Court at St James's the 26 day of November 1702, in the first Year of Our Reign

By her Majesty's Command
NOTTINGHAM

Lord Cornbury to the Lords of Trade.

[New-York Entries, E. 391.]

To the R^t Hon^ble the Lords Commissioners for Trade and Plantations

My Lords

Since my last to your Lordships of the of by Matthews the first Lieutenant of my Company who went on board her Majestys ship Advice Captain Caldwall Commander, I must acquaint you that the said Captain Caldwall (notwithstanding a positive order to the Contrary which he had received from me in writing) did receive on board his ship the Countess of Bellomont before she had give sufficient Security for the several sûmes of money the late Earl of Bellomont in his life time and her Ladyship since his death, or their Agents have received upon account of the four Companies of Fuzileers here, and which have not been paid to the said Companies nor to their use; I send your Lordships inclosed a Copy of the order I sent him which was deliver'd to him by the Attorney General of this Province, Nevertheless he thought fit to carry her Ladyship away by which means the officers here must either loose a very considerable sum of money or must be at very great charges to sue my Lady Bellomont and M^r Champante for the sûmes they have received and detained from the said Officers, This I thought myself obliged to acquaint your Lordships with And likewise to intreat you that I may have some fuller instructions concerning any man of War that may be appointed to attend this Colony. The Captains of the Queen's ships are not willing to think themselves under the Command of the Governour of the Province where they are; Only if the ship is order'd out to cruise they will obey But if there is occasion to send an officer and a few men to make any seizure Or upon any other private Service, and the Governour send to the Captain of a man of War attending upon the Province for any one particular Officer, which he thinks he can better trust than another; The Captain will send the number of men required but another officer, and not him that is desired. Besides, Before he will suffer him to proceed upon the service required, he will see the instructions he receives from the Government That great inconveniences may happen by such proceedings, did in some measure appear when I was at Albany, M^r Weaver who had upon my issuing a Proclamation against him, surrendred himself and promissed to make up his Accounts with the deputy Auditor and some other persons I had appointed for that purpose, when he had given his accounts privately to the Deputy Auditor, thought fit a second time to run away with M^r Atwood, and leave his bail in the lurch; The Gentlemen of the Council whom I had left in town thought it their duty to pursue those two Sparks: And in order to it they sent to Captain Stapleton (who was then living and Commander of the Jersey) desiring him to send the master of his ship with twelve men, to be sent on an expedition for the Queen's Service; the Captain immediately sent the boat and men but instead of the Master sent a Midshipman to command the men. The Gentlemen of the Council gave their orders in writing to the Midship-man, and bid him proceed immediately; But instead of that he return'd on board the ship and delivered the orders he had received to his Captain, who took them and kept them and gave him orders in Writing from himself, with these orders the Midshipman went to the place to which he was directed which is a small Creek in East Jersey and there he landed and was told that Atwood and Weaver had been there the day before, but were gone to a Farmhouse half a mile further into the Country where they then were; This being a very young man and his orders from his

Captain being to goe to the Creek and no further, he return'd to New York without going to the Farm-house where he had been told they were; So that the taking of those two men was disappointed, Whereas if the officer that was desired had been sent, I am fully perswaded they had been taken because I know him to be a very diligent good officer and fit to be trusted, I hope your Lordships will let me receive your directions how to proceed in the like Cases for the future. Since the Advice Sailed no Vessell has sailed from this Port for England till now, that the Benjamin Store Ship which has taken in all the masts that were provided by the late Earl of Bellomont and as much of the Timber as was brought down to York There is more lies in the Woods which shall be brought down as soon as the frost is hard enough to bear a Sledge, but it cannot be done sooner. I herewith send your Lordships Duplicates of all the letters I sent to you by the last opportunity; So I shall not trouble you with the miserable condition I found this Province in at my Arrival. I hope your Lordships will be pleased to direct that we may be supplyed with stores of all sorts, of which we stand in great need especially Cannon, many of those we have being so honey-comb'd that they are are not fit for service, and powder not having two hundred barrells left, and some barrells of that spoiled. The general Assembly of this Colony met (according to the Adjournment) on the 20 of October last at Jamaica, and sat there till the 14 of November on which day I did at the request of the House, adjourn them to New York to meet there on the 16 of November (the sickness, God be praised, quite over) there they continued their Sessions till the 27 of November during which time they passed several Bills in number fifteen of which I send your Lordships Transcripts under the Seale of this Colony for your approbation and hope the Queen will be pleased to approve of them. The first is entituled an Act for the levying and collecting the Sûme of £1800 for the raising, paying and maintaining 150 Fuziliers with their proper officers And thirty men to be imployed as Scouts for five months for the defence of the Frontiers I hope the reason for passing this is so evident that your Lordships will easily consent to the confirming of it. The next is an Act to enable the City of New York to supply the vacancy of their officers in case of death or other disability. The reason for this Act is the defect in their Charter, by which they are not impowered to chuse new officers in liew of those that dye in the year, The third is an Act for granting to her Majesty £2000. The fourth is an Act to appoint Commissioners to state the Accounts and Debts of this Province This Act I earnestly intreat may be confirmed; For without it it will be impossible to find out the debts of this Province. The next is an Act for destroying the Wolves. This is a very necessary Bill. The sixth is an Act which I think carries its reason in its Title. The 7 is for settling the Militia. If this Act is not confirmed We shall have no Militia at all in this Colony. The 8th for regulating of Slaves is become absolutely necessary through the great insolency that sort of people are grown to. The 9th is absolutely necessary to prevent some doubts that might arise upon the adjournment of the Supream Court. The 10th an Act to repeal several Acts of Assembly This I did refuse to pass for some time, till the House passed the 14th of continuing the Revenue upon which I passed them both; Which I hope you will approve of. The 11th for a free schoole I hope wants no recommendation. The 12th being for the good of the City and a charge upon themselves only I hope will be approved of The 13th is of very great use to Trade, and therefore I hope may be confirmed. The 15th for the better maintenance of the poor is extreamly wanted in this City. And therefore I intreat it may be confirmed. Thus I have given your Lordships an Account of the proceedings of Our Assembly and I have no doubt but at their meeting in Spring they will continue to do their duty to her Majesty to

the utmost of their power. I herewith send an humble Address signed by the Governour Councill and Assembly of this Colony, and another from the Assembly alone, which we humbly pray may be laid before her Majesty, I am

My Lords

Your Lordships most

New York faithfull humble Servant

Dec^r the 1702 CORNBURY

Address of the Inhabitants of the Province of New-York to Lord Cornbury.

[New-York Papers, R S T.; T. 27.]

To the Right Hon^ble Edward Lord Viscount Cornbury his Majesties Governor of New York

WHEREAS many of us live remote and the time of your Lordships arrivall being uncertain, wee have presumed to take this method of expressing the sincerity and fervor of our affections. Humbly addressing your Lordship by this Paper, congratulating your Lordship's safe arrivall and that of your noble Lady and Family

We do assure your Lordship that we have and will alwaies conserve a zealous and steady resolution to support and promote, to the utmost of our Power, the Honor and Interest of our most Gracious Soveraing Lord King William (whom God long preserve to Reigne over us) in this part of his Dominions, and if it shall please God, his Majesty see it for the Honor and Interest of the English Nation to engage in a new Warr, wee shall cheerfully undertake the Duty and Charges thereof in these Frontiers Provinces as we have done in all the last Warr, and will not be wanting to your Excellency in the hearty expressions of our duty supporting and supply those your Lordship shall judge necessary to adjust an impartial administration of Government to all his Majesty's subjects Inhabiting this Plantation

We have this entire confidence in your Lordship's great prudence justice, courage and conduct that with the blessing of God upon your Lordships endeavours we doubt not to enjoy safety and protection from our enemies abroad, Liberty of conscience, Peace and tranquility at home, and that the name of Party and Faction may henceforth vanish with every thing contradictory to the true English Interest

That your Lordship be successfull in attaining all the ends of good government, grow in your Prince's favor, and have the due Reverence as well as the cordial affections of the People here under your directions, live long @ happily amongst us to the praise and Glory of Almighty God and your Lordship Satisfaction and contents are the cordial wishes and constant prayers of your Lordships most obedient dutiful and humble Servants.

Signed by 346 Persons of the City of New York and also by Deputies from y^e severall Counties of y^e Provinces.

We underwritten in behalf of our selves and about half of the Freeholders and Inhab^ts of Ulster County whose names are in the Schedule annext

Here underwritten are the names @ hands of y^e Chiefest Inhabitants & Freeholders of New York &^c

John Hueelind	Matthew Ling
Barth le Roux	Benj: Faneuïll
B White	Jn^o Bolwell

Theunis Dekeije
Henr. Beekman
Tho. Garton
Direck Schepmoes
W. Demeijer
W^m Legg
Cha. Brodhead
W T Broeck
Abraham Gaesbeck Chambers
Johannes Wynkoop
J^o Cock

11

Robert Anderson
mark o of Charles dineso
Augustus Grassett
A Morrisset
S Morrisset
Peter Le Rox
J Saijre
Edward Burling
Robert Edwards
y^e mark T of Joh· Sweeniy
John Harris
y^e mark. *R.* Pateriel caino
James Wells
y^e mark. + of James huijten
Will Robertson

18

George Stanton
James Sponce
Jn^o Basford
William Richardson
Henry Coleman
Elias Boudinot
Elias Neau
Nath^ll Maiston
John Scott
Joseph Smith
Isaac Charrier
Mich Handon
Samewell Minden
John Clapp
Walter Dopps

18

We underwritten for ourselves and the major Part of y^e Freeholders & Inhabitants of Richmond County whose names are in the Schedule annext.

Tho' Stilwell
jan Tenisson pelt
Abraham Lowe
Ellis Duxbury
Richard Menill

5

We underwritten in behalf of ourselves and many of the Freeholders and Inhabitants of Kings County or Nassau Island

Henry Wilkes
Gerrett Stoothoff
Joseph Hageman
Rodolph Schenck
Nicholas Stillwel &
Jan Aersen

6

Here underwritten followeth y^e names of y^e cheifest Inhabitants & Freeholders of the citty and County of New York who have put there hands & signed y^e originall addresse

y^e mark *T* of John Cobren
John French
y^e Mark *M* of W^m Mestre
Robert Drommond
Edmond Thomas
Robert White

Mereshall

y^e mark X of W^m Addely
M Boults inare
W^m Galt
J Hazwell
William Wood
Jeremiah Callcutt
Richard Greene
y^e mark *V* of W^m Pemberton
y^e mark ⁂ of W^m Stokes
y^e mark *m* of Edward Merett
John Forpp
John Davenport
y^e mark χ Tho Aresum
y^e mark *IB* of John Brody
y^e mark ⨯ of John Hillcock
y^e mark β of Ed Hassett

23

Jacob Adams
Rutgart Waldron
Rich^d Averin
N Malherbe
Peter Andere
Jean Faget
William Robison
Ebenezer King
John Tuder Jun^r
Tho Child
Jan Vincent
David Violet
William Digges
Daniell Maddin
Thomas Badcock
ye mark ꝏ of Scurluk
Simo: Brett
Tho: Aresum
Conrardus Vander Beeck
Paulus Vanderbeeck
Abraham Vanderbeeck
Isaac Anderson
y^e mark Λ of Job Wellington

23

We underwritten in behalf of ourselves and upwards of ⅔ the Freeholders and Inhabitants of Worcester [Westchester] County

Calleb Heathcote
Joseph Purdie
John Horton
John Direk
William Willett
William Barnes

6

We underwritten for ourselves and y^e^ major part of the Freeholders & inhabitants of y^e^ county of Albany as by y^e^ schedule annext

P Schuyler
David Schuyler
Wessell Tenbroeck
Albert Rickman
Gerrit Teunise
Johannes Glen
Naning Hermesen
Robert Livingston

8

Here underwritten followeth the names of the Cheifest Inhabitants and Freeholders of the Citty and County of New York Who have put their hands and signed y^e^ originall's addresse

Edw: Cole
John Kingston
William Glespie
John Wood
y^e^ marke X of W^m^ Clarke
Ga Wright
Edward Sanderson
Daniell Cartill
George ·; Williams
Richard Bowell
℟ y^e^ mark of jn^o^ Rickes
George Smith
Charles Mansells m^r^k
Daniel Jones
Alexander Macky
y^e^ m^r^k ~~o~~ Andrew Panting
y^e^ m^r^k × of W^m^ Davis
Knight Younge's marck
y^e^ marke X Jn^o^ Girges J^r^
James Nickull's mark
John Simpson's mark
John Williams mark

22

Rob^t^ Cranill
Geo Davis
John Awenes
Alex Cope
Fran Kendall
John Dollman
Tho' Button
John Butler
Tho^s^ Harneson
James Watters
Thomas Edmaston
Edward Huntt
Edward Blake
William Gainer
Jo^n^ Vanderbeck
James Vertû
Jn^o^ Reede
Thomas Packer
Peter Hanion
Charles Timmons
Abr^a^ham Broekes
Ralph Thorman

22

Here underwritten followeth the names of the chiefest Inhabitants & Freeholders of the citty and County of New York who have put their hands & signed y^e^ originall addresse

Peter Panne's m^r^k
Geo Right's mark
Jn^o^ Moore's mark
Daniel May Daniel

Augustus Jay
Robert Skelton
John Sheppard
Giles Gaudineau
Gausse Bonjein
Will^m^ Fullwood
Peter Matthews
F Vincent
Andrew Law
William Smith
David Lyalle

John Hope
Will Chiswall
Tho Hooke
Thos Hooke Junior
Joseph Wright
Will Anderson
Rob^t^ Steward
J Veritè de Sorsoliel
J Janssen
Rob^t^ Allison
William Snewalle
L Vallian
Daniell Cromelin
Jeremiah Tothill
Peter Thauvett
John Geddes

William Morris
Walt^r^ Thong
Paul Droilhet
Sam^l^ Bayard
Sam^ll^ Burt
Rob^t^ Lurking
Hugh Gray
Augustus Lucas
Rich^d^ Willet
Claude Beveys
Benj: Blandenburgh

Rob^{t} Darkins
Richard Flested
Huus ewe
Salomon De la Becque
Johannes Hardenbroek
Johannes V. Cortlandt
William Brickley
Jacob Marius Groen
Tho: Ellysen—
Edward Marshall
John White
Elie Bodinot
John Reade
William Whiting
Rich: Coopers mark
Giles Fords mark
Edward Robert's M
Richard Wilson's M
Thomas Steorrt
Joseph Hanwood
George Maye
John Ellison
James Bustey
Samuell Drew
Christopher's Dog's mark
Tho: Worden
John Thorne
Obediah Hunt's M
James Whitt
William Haywood
Samuell Goolding's m^{k}
Bal Dumingin's M
John Cell
William Smith's M
Edward Aterll's M
Jn^{o} Jones's M
Jn^{o} Johnson's M
Robert Gorden
W^{m} Bristow
Ralph Hockenhall
Edward Marshall's S^{r}
Thomas Woodlan's M
John Taner's M
Nicholas Browne
John Coby

Johannes d'honeur
Cornelis Vielle
Jan van Hoorn
Jan Van Meer
Robt Nisbet
Thos Richards
R Greene
John Saler
William Weenlo
Forgessin Mac loud
Thomas Ratfieldes M m^{r}k
Samuell Ash
Richard Jn^{r}
John Smith
Peter Reyeau
John Floyd's mark M
B Bayard
John Brissel's M
Gab Minvielle
William White
Richard Flemen
Thomas Bonden
Tho: Fling
Jamès Hardings
Robert Lawrence
Obadiah Smith
Jonathan Shaw
J^{no} ewoke
Anthony Gealston
George Cox J^{r}
John Robinson
John Finch
John Collins
Richard Jean
Tho. Joslin
John Lucas
Daniel Pantis
Francis Cont
W^{m} Huddleston
Jos Cleator
W^{m} Leathes
W^{m} Missin
Richard Moor
Thomas Davis
John Foster

Benj. Aske
Nicholas Jamain
Hendrick Meslaer
Rob^{t} Watts
Jarvis Marshall
Jan Harbendinck
S Clowes
Louis Carré
Jean Cazals
Beverley Leathern
Gerrit Van Hoorn
Tho Burrows
J: Bedwell
John Nobell
William Watt
Hugh Vezir
John Scotaway's M
W^{m} Ovetts M
Tho: Caby's M
Morgan Baxters M
Jn^{o} Bonfield's M
Joseph Daret
Edward Fitzgerald
Joseph Baker
Alex Alkorne
Jonathan Davis's M
Nath^{ll} Peack's M
Jno Birch's M
Tho Eving's M
John Bowen
Thomas Jones
William Calway
Jn^{o} Canale's M
Jn^{o} Alling's M
Francis Sherman
James Colbry's M
Peter Marke's M
Samuell Trigg
Jarvais Kinder
John Boulter
Jonathan Willford's M
William Hodges
James Bullman
Ben Hildrot
Thos. Burroughs

Abram Jeuneau	Thomas Johnson	Abraham Rezeau
Philip Jeuneau	Samuel Watson	W^m^ Le Count
Reinier Reseau	Jos Elletts mark	John Parmiter
Reinier Reseau J^r^	John Foordes mrk	Youseph Waldron
	Thomas Waldrunes m^k^	Francis Homes
	Rich: Davis	Jo^n^ Greene
		Christo: Denne
		Daniel Butts

New York October the 2^d^ 1702
This is a true copy Compared with the original remain^g^ in the Governors hands.
P^r^ DAN. HONAN Sêcry

Address of the Inhabitants of Ulster County to Lord Cornbury.

[New-York Papers, R S T; T 27.]

To his Excellency Edw^d^ L^d^ Visc^t^ Cornbury Capt^n^ Gen^ll^ and Gov^r^ in Cheif of her Ma^ties^ Province of New York and Territories depending thereon in America & Vice Admirall of the same

The humble address of the Chiefest and Principal Inhabitants of the County of Ulster
May it please your Exc^y^
This is not only in the name of those whose hands have already witnesseth their unfeigned rejoicing for your Lòrdps safe arrival into this Province and that have expressed their submission by the assurances of their dutiful compliance but also of many others that doe from their hearts, bid and say y^r^ Exc^lcy^ is right welcome into this Countrey
My Lord
It is our unhappinesse we cannot say tis in the name of the whole for these wedges that have been formerly forged, these last four years have been tempered to that extream hardnesse that have split the County, almost into two halves, Yet we thank God, can say we are the Cheifest and Greatest Part
Sir
It is us that humbly crave leave to congratulate your Exc^lcy^s extraordinary good successe in the negotiation which the five nations of Indians which is of that great import to all these Her Majesties Northern Dominions as well as this Province and to expresse our gratefull resentment for your Lòrdps untired Fatigues and Vigilance in fortyfying the Frontiers against our Northern Enemies upon w^ch^ foundation we can build our glowing hopes of Security as well as our faith to beleive it to be a clear manifestacôn and undeniable Proof of your Excellencies great care and conduct and will of necessity oblige every grateful and Loyal Soul cheerfully to contribute not only with heart and hand but w^th^ that also w^ch^ is esteemed the Sinews of War
My Lord
The Ingratitude of the nine Leapers putt us in mind to return with the tenth to express our Duty by our thankful acknowledgm^t^ for those particular favors rec^d^ by Commissionating a Judge of our Court whose affections for the Englishe Interest and uprightnesse the most

malitious cannot blame, and the Sheriff and Clerks Qualifications not to be ashamed by such as have had those places in the time of the two late Govrs these favors we have rec'd from yr Lôrdps will be more than double ties to us to make it our whole Study upon all occasions to manifest our Allegiance and Loyalty to Her Maty and our obedience to yr Excellency agst all the open and Private enemies to the English Interest and your Lôrdps Administration

Sir

The Fears that the Threads of our Ravelled Expression will too much weary yr Lordship to wind into Clues doth hinder us from uttering more of our sincere dutiful Obedience but to repeat our prayer that in the whole course of your excellencys administration you may find ease Tranquillity and happiness, and that it may be Steady and durable till your Lôrdsp be removed to the heavenly Kingdome shall be our constant intercession to the King of Kings

Wesselten Broeck	Evert Wynkoop
Wesselton Broeck Jr	Jan Burhans
Richd Brodhead	Johannis Schapmoes
Henry Plogh	Corneelis Switts
Jn Gacherie	Jochem Schoonmaker
Jno Cock	Edwd Whittaker
Barnard Swartwout	William Legg
Janlo Sier	Jno Davenport
Peter Van Luven	Andries de Widt
James Whittaker	Charles Brodhead
A Gaesbeeck Chambers	Jno Wood
Thomas Garton	Thomas Hall
Derick Schepmoes	Brour Decker
Mosijs de Pice	Hendrich Schonmaker
Johannijs Wynkoop	

New York Oct 2d 1702

This is a true copy compared with the original remaining in the Governors hands

Pr Dan Honan Secry

Lord Cornbury's Reasons for suspending Chief Justice Atwood.

[New-York Papers, R S T.; No. 46.]

Reasons for suspending William Attwood Esqre from his office of being Cheife Justice of this Province Judge of the Vice Admiralty & of his Majesties Councill

That the said Attwood in ye execution of his office of Cheife Justice and as Judge in allmost all causes that came judicially before him, by the Gênll Report of all present, did openly notoriously & most scandalously & wth wonderfull partiality, in allmost all causes, where his son was concerned as councill espoused and indeed pleaded & gave countenance to such cause and finally gave judgement on yt side by which meanes justice was perverted, ye laws abused

and violated & y^e^ subjects exceedingly injured, which recommended his son to great practice & large sums of money was by parties given him to buy his fathers favor

Of the said Attwoods partiality I have myselfe always been a witness as often as he hath sate with me in y^e^ Court of Chancery here

That upon my arrival att y^e^ entrance of y^e^ Port of New Yorke Immediately a great number of y^e^ principal inhabitants of y^e^ Province, English, Dutch, and French together with y^e^ minister of y^e^ English Church who had for some time before been drove from their habitations of New Yorke and had been forced to shelter themselves and their Goods in the neighbouring Province by reason of a violent & unheard of Persecution by y^e^ persons then exerciseing y^e^ Powers of Government in this Province, came to me on board His Ma^tys^ Ship y^e^ Jersey and greivously complaining of y^e^ great hardships and persecution that they and a great number more of y^e^ principall Inhabitants who had been forced to flye into other Provinces more remote, lay under, That had it not been for y^e^ hopes of my speedy arrivall from whom the hoped for succour Justice & releife, the Citty of New Yorke especially @ a great part of y^e^ Province had been left desolate

That M^r^ Attwood and M^r^ Weaver, persons extreamly indigent violent, partiall, of unjust and Turbulent Spirits had so prevailed with & imposed upon Capt^n^ John Nanfan the then Lieut^t^ Governor a young man of small experience & knowledge so that they had drawn to themselves & their party the whole Administration of y^e^ Government and had complotted and contriv'd y^e^ ruin of the Principall Inhabitants, that their Estates which were very considerable might be forfeited to y^e^ King as they reported for the payment of y^e^ Debts of y^e^ Government, which thro' their mismanagement were grown to be very considerable, that after my arrival in this Port the Weather being stormy before I could Land, The said Attwood and Weaver together with the pretended assembly as then composed did in wonderfull haste, to secure the Interest of their Party, compile passe and publish Acts very destructive to the good subjects of this Government inconsistent with his Majesty's Service contrary and repugnant to y^e^ Laws of England

That sometime after my landing here a very great number of y^e^ principal Inhabitants, presented me with an address, consisting of divers complaints, against the persons concerned in y^e^ late Administration of Government and particular Articles to the number of 33 against y^e^ said M^r^ Attwood together with several Records and a great number of Affidavits to support and justify y^e^ same

That amongst many other complaints in y^e^ said Articles contained w^ch^ I think to be clearly proved the Persecution against Coll Nicholas Bayard and Alderm^n^ John Hutchins for High Treason for hav^g^ themselves and persuaded others to sign three addresses the one to his Majesty one to the Hon^ble^ House of Commons in England and the other to myself was to me (as I found it had been to all indifferent persons very surprizing) and had appeared so scandalous & unjust to the Neighbouring Governments that they had earnestly interposed with the persons then in the Government to put a stop to their proceed^gs^ which seemed to them so extravagant and without Ground or Precedent, but instead of attaining the moderation proposed, were answered with rudeness and contempt

Notwithstanding the said three addresses, were never produced in Court on those Tryalls, nor y^e^ matter contain'd in them ever duly proved he proceeded to condemn y^e^ said Bayard and Hutchins for High Treason and passed Sentence of death on them for y^e^ same

That William Attwood the better to stifle and conceal the Artifice and irregularitys practised in these Tryalls had taken particular care that noe notes should be taken of them in y^e^ Court and his concern to prevent an exact relation of what passed was so great that he gave strict order to an officer to search all Rooms neer the Court to discover if there were any takeing the Tryall, and gave possitive order to prohibit any person takeing the same however severall persons had taken memorialls of what their memory could retain and y^e^ Tryall of Coll Bayard collected from thence, was soon after delivered to me well attested, by many indifferent persons then present

I have thought it the duty of my Station Impartially and strictly to inform myself of y^e^ great clamour and numerous complaints against said M^r^ Attwoods behaviour in his sev^ll^ offices from such persons as I thought most indifferent and best able to give me light therein as well as of this Province as of y^e^ neighbouring Plantations and must with great truth say, that they do all unanimously concurr that his management hath been so partiall & scandalous that His Majesty^s^ Government is thereby rendered terrible to y^e^ people, That the Proprietary Governments are wonderfully deterred & have greivous apprehensions of the consequences of this mans new and pernicious administration and y^t^ the animossities Distractions and Divisions of y^e^ People of this Province have been by him greatly fomented and increased

New York October the 2^nd^ 1702

This is a true copy compared with the Original remaining in the Governours hands

P^r^ DAN HONAN Sêcry

Lord Cornbury's Reasons for suspending Thomas Weaver, Esq.

[New-York Papers, R 8 T.; T 46]

Reasons for y^e^ suspending of Thomas Weaver Esq^re^ His Majestys Collector and Receiver Gên^ll^ of this Province

That upon my enquiry into y^e^ causes and Reasons of y^e^ great animosity and Divisions of y^e^ People of this Province the said Weaver has appeared to me a mischeivous incendiary promoter and Stirrer up of those Disorders and Divisions not only in those Parts but in the Leeward Islands where some time he made his aboad before his comeing hither

That in his payment of the Publick money he hath used great Partiality & Corruption contrary to y^e^ meathods ordained by the Government and destructive of y^e^ Publick Credit

That by his corruption & mismanagement of his office that part of His Majestys Revenue rising by excise hath been very much lessened That of y^e^ City of New York alone as I am inform'd being diminished one third since he has been intrusted with the Revenue

That by all the Inquiry I have been able to make I cannot find that he has kept any due acc^t^ of the Receipts and payments of His Ma^tys^ Revenue during his executing said office

That contrary to His duty and Instructions he hath neglected to make up his Quarterly Acc^ts^ of his Majestys Revenue & transmit duplicates thereof to England every six months that thereby as I am informed he may conceal his corrupt & undue Practises in payment of y^e^ Publick money

That the Publick being by the mismanagement & ill Practises of the said Weaver & others brought much in Debt & discredit he entered into combination with other his confederates to cause severall of His Majesty's good subjects in this Colony of plentiful Fortunes to be accused and prosecuted for supposed Treasons and other Crimes that by the Forfeiture of their Estates such Debts of the Government might be satisfied

That pursuant to such his wicked Practises he procured himself to be appointed Sollicitor Gen^{ll} (a new office in this Government) for that purpose the Attorney Gen^{ll} giving his advice and opinion to y^{e} Contrary and declining to appear in such unjust Prosecutions

That in combination with other his confederates he prosecuted Coll Nicholas Bayard & Alderman John Hutchins and caused them to be condemned as Traytors for new Invented and unheard of Treasons the only facts offered to be proved agst them being their advising others and signing themselves and address to His Majesty, and address to y^{e} Hônble House of Commons and another to myself the last being only a civill congratulation on my arrivall and with much violence endeavoured to procure the said Bayard & Hutchins to be put to death for the same tho' the said three Addresses were never produced in Court on those Tryalls nor the matter conteined in them ever duly proved

That at my arrivall here he denied to have any of the Publick money thô during the whole time of his Receipt the Colony hath not been burthened with any foreign Warr nor any other extraord^{y} matter to exhaust the Revenue

That from the time of my arrivall to the day of his suspension tho' I have very often desired him I never could obtain any account what so ever of y^{e} State of y^{e} Revenue or other publick money which had come to his hands & he was accountable for

That he has given great interruption and discouragement to the Lawful Trade of the Province maliciously prosecuting and seizing divers ships & other vessells without any just cause only to gratify his own private Quarrells & Revenge

That alltho' severall of those ships and vessells were legally discharged from his feigned informations yet in prosecution of his malice & to give y^{e} owners and masters further vexation and trouble he again caused them to be seized prosecuted and condemned for y^{e} same facts

That the said Weaver in conjunction with Coll Depeyster procured himself to be Paymaster to His Ma^{tys} established Forces here in the management of which matter the officers we[re] upon all occasions delayed and by the said Weaver rudely and scurrolously treated and the soldiers unjustly and unduly paid nor could they ever till the time of my arrival procure from them an account & adjustm^{t} of their pay & of their Reckoning but were made to beleive that their subsistance by them often paid them was advanced out of their own Pocketts by which management I am informed the Souldiers were greatly discouraged & was cheifly y^{e} Reason so many of them so often deserted His Majesty's Service

That upon my arrival here the said Depeyster and Weaver acquaint^{d} me that y^{e} Merchants and men of business of this Place were so ill affected to His Majesty's Service that they refused to supply such money as was necessary to subsist His Mat^{ys} Forces upon giving Bills upon the Agent in England as had been accustomed But upon a due enquiry thereunto it appeared to me that those principall Merchants and men of business who usually supply that money were by the violent prosecution upon y^{e} account of the afore mentioned addresses constrain^{d} to fly out of the Province who immediately came to me and made offer to supply all such money for his Maties said Service

New York October y^{e} 2nd 1702

This is a true Copy compared with the originall remaining in the Governors hands

P^{r} Dan Honan Sêcry

Lord Cornbury's Reasons for suspending Abraham De Peyster, Esq.

[New-York Papers, R. S. T.]

Reasons for suspending Coll Abraham Depeyster from His Mat^{y} Council of y^{e} Province of New York

At my arrival at the mouth of y^{e} River of New York many of the Principal Merchants & Inhabitants came on board the Jersey some of which were fled out of y^{e} Province who made heavy complaints of many abuses and oppressions committed by those then in y^{e} Administration of y^{e} Government of w^{ch} the said Depeyster was one & who by the universal clamour of y^{e} people in y^{e} said Province is accused as a principal promoter & actor in y^{e} desorder & divisions amongst them

That by y^{e} mismanagement of those who were intrusted with y^{e} Governm^{t} y^{e} same being become much in debt he confederated wth Will^{m} Attwood Thomas Weaver & others to procure several of his Maj^{ties} subjects of considerable fortunes to be prosecuted for pretended crimes and Treasons that by their fines and forfeitures of their estates y^{e} said debts might be discharged

That together with M^{r} Attwood & Robert Walters he hath arraigned tryed and condemned Col Nich Bayard & Alderman John Hutchins at several days & times between y^{e} 19th day of February last & the sixteenth day of March following alltho' by the Commission by which they claimed to be impowered they were strictly limited to do y^{e} same on y^{e} 19th day of February last & not any day or time after

That designing and contriving the ruin and destruction of y^{e} said Bayard & Hutchins he maliciously and corruptly declared as his opinion & judgment y^{t} the said Bayard & Hutchins for promoting encouraging and signing an address to his Majesty an address to y^{e} Hònble House of Commons & a third to myself were guilty of High Treason & assisted in passing sentence of death on them accordingly

By confederacy with divers others he procured certain Bills or acts to be passed in form of Law to forfeit and confiscate y^{e} estates of y^{e} subject without any crime Conviction or attainder to deprive the subject of his just legal and natural right & to prevent the publick Revenue & money of y^{e} Government to private & corrupt uses

That since my arrival here he has industriously opposed y^{e} right & due administration of justice in y^{e} Court of Chancery here shewing great partiality in all causes where any of his party were concerned to the great interruption of justice and equity

New York Oct 2^{d} 1702

This is a true Copy compar^{d} with the originall, remaining in y^{e} Gov^{rs} hands

P^{r} Dan Honan Sêcry

Reasons for suspending Captain Robert Walters from the Council.

[New-York Papers, R S T.]

[Omitted, being, with the exception of the name, the same as the preceding Document.—Ed.]

Reasons for suspending Dr. Samuel Staats from the Council.

[New-York Papers, R S T.]

[The same as the preceding Document, with the exception of the name, and the following which is in place of its third and fourth paragraphs:]

That corruptly and maliciously designing and contriving y^e^ Ruin & destruction of Coll Nicholas Bayard & Alderman John Hutchins by much Art & Sinister labour he procured certain Bills of High Treason to be indorsed Billa vera & brought into Court against the said Bayard & Hutchins for promoting incouraging & signing an address to his Mat^ie^ another to the Hónble the House of Commons and y^e^ third to myself who thereupon were arraigned Tryed and condemned & have sentence of Death passed upon them

Lord Cornbury to the Lords of Trade.

[New-York Entries, E. 401.]

To the R^t^ Hon^ble^ the Lords Commissioners for Trade and Plantations

My Lord,

Your Lordships letter of the 14 of July last, with the several papers relating to Côll Bayard, and the Copy of your letter of Feb^ry^ the 2. 169$\frac{8}{9}$ to the late Earl of Bellomont and her Majesty's Order for the restoring M^r^ Broughton the Attorney Generall to the execution of his office came safe to my hands by the way of Boston on the 5^th^ instant. You are pleased to take notice that my letter of the 3^d^ of May last was not come to your Lordships hands, And you are pleased to direct me to send constantly duplicates; Which I take leave to assure you I have always done and shall continue to do by the next opportunity: But I intreat your Lords^ps^ to consider that but few ships goe directly from this port to England, So that I must depend upon the Boston and Philadelphia Posts for conveying my letters to such ships as may be going to England; And some times both those Conveyances faile Your Lordships are pleased to advise me to have it principally in my endeavours the composing of all the heats and animosities that have so unhappyly disturbed the peace of this Province I doe assure you I have very heartily applyed myself to that worke, and shall continue using my utmost endeavours for the attaining the good end that all honest men here desire. I am very sure I have espoused neither party any further than the Queen's Service and Justice have obliged me to doe. And indeed this Justice I must doe to the English, the Generality of the French and most of the considerable men among the Dutch (who are the people that have been oppressed these last four years) that they have behaved themselves with great moderation; considering the great injuries many of them had suffered, I am afraid there are some men in the other party who are not to be prevailed with by reason. They have been so bewitched by Atwood and Weaver that some of them yet say openly that it will be their turn again shortly And that as soon as Atwood and Weaver arrive in England, they will be justified in all they have acted here. This being possitively asserted by some of the Chief men of that party hinders some of the more ignorant of them

from seeing their error However I hope a little time will open their Eyes. One of the things which has the most buoyed up that Party (I mean Leislers faction) is the act of Parliament passed in England in the year 1695 Intituled An Act for reversing the Attainder of Jacob Leisler and others, By which Act they pretend that Leisler was intituled to the Government of this Province by an Act of General Assembly And that he was since confirmed in the same by the late Kings letter dated the 13 day of July 1698: But the persons that solicited that Act in England had not ingenuity enough to acquaint the two houses of Parliament that the Assembly which gave him that Authority was an Assembly called by himself, after he had by violence disposest the Kings Lieutenant Governour that then was; So that the Authority he claimed was derived from a body of men authorized by himself who had no power to call them together, consequently an illegal Assembly; And I conceive no illegal Assembly can grant a lawfull Authority. I say more upon this head than I should have done, were I not well convinced that the aforementioned Act of Parliament is the main foundation that Faction builds upon And I do really beleive that if an Act of Parliament were passed in England to explain the above mentioned Act of 1695, it would contribute more to the quieting the disturbances here, than any thing else can doe; For till then they say that Leisler was a lawfull Governour, And that the Parliament of England have declared him so; Thó I am pretty well assured that the Parliament of England certainly intended not to justify the plain open Rebellion of the Father, but only to do An Act of favour to the son, who was not guilty of the fathers Crime But another use has been made here of that Act. I did by the advice, send your Lordships as full an Account of what relates to Colonel Bayards tryal as I could. I now send you Duplicates of all again. I hope that account will be to your satisfaction as for what relates to Mr Attorney General Broughton, I must acquaint you that he was not actually suspended but I think worse used: For he was left in the possession of his place but was suffered to do no business in it for Mr Weaver was made Solicitor General, And all References that ought properly to have been made to the Attorney General, were made to the new Solicitor: However I have acquainted him with her Majesty's favour to him, And he has desired it may be recorded in the Secretaries office which is done, I have received the Cloathing your Lordships are pleased to mention to be sent over by Mr Champante: And indeed they came very seasonably: for our men were perfectly naked, And the weather began to be very cold. But I must acquaint you that Mr Champante did not think fit to consign the Cloathing to me, but to Captain Nanfan He has not sent over any Account of what the Cloathing amounts to. He has sent no invoice, but only a Scrap of paper with the numbers and marks of the Parcells. I dare assure you he has sent the worst Cloathing that ever was put upon Soldiers backs.

I sent for some of the Cheif Merchants here to see them, and they are all of my mind; And that your Lordships may be convinced of the truth of this, I have ordered one whole Cloathing to be sent over to my Agent, Mr Thrale to be laid before your Lordships, And likewise an estimate made of the said Cloathing here by several of the ablest and most skilfull Merchants here, by which you will best see how Mr Champante has used us. Besides he has sent us no Watch-coats, Without which there is no living for a Centry here; Besides he has sent no Swords nor Belts; nor Daggers nor buckles for shoes; And yet I hear he call this a double Cloathing, I have nothing more to trouble your Lordships with at Present, but to assure you that I shall alwayes be very punctual in observing all the instructions you shall favour me with, being

My Lords

Your Lordships most
faithfull humble Servant
CORNBURY

New York
Decr the 12. 1702.

Lord Cornbury to the Lords of Trade.

[New-York Entries, E. 407.]

To the R^t Hon^ble the Lords Commissioners for Trade and Plantations.

My Lords

Since I answered your Lordships letter of the 14 of July yours of the 16 of July came to my hands By which I find that my Lord High Treasurer has signifyed to you, that several Bills of exchange are come to his hands drawn by Captain Nanfan upon the late Commissioners of the Treasury for 500 pounds Sterling that his Lordship conceives, and apprehends the same, was no wayes well intended, because of the date of the bills, That his Lordship not thinking fitt to accept the said bills has desired your Lordships to acquaint mẽ therewith, And withall to give me directions that no such bills be drawn hereafter by me or any persons whatsoever upon the Treasury; But that after a new Survey of the Fortifications, I should certify to your Lordships. As to the first part which relates to Captain Nanfan's bills, I can say this. That in some time after my coming hither I heard that Captain Nanfan had made a very odd bargain with Cõll Depeyster about £500 for which I was told that he had drawn bills upon the Treasury in England. I sent for him and asked him about it. He told [me] M^r Romer wanted money to goe on with a stone Fort at Albany, And that he had taken up some money here, and had drawn bills upon the Lords of the Treasury for it, according to directions received from your Board to that purpose I found he was unwilling to give so full an account of that matter as I could wish. So I pressed him no farther at that time But upon inquiry else where I found the bargain to be thus. Cõll Depeyster was to have bills from Captain Nanfan for £500 Sterling, for which Depeyster was to pay down immediately £200 Currant money of New York And when the bills were accepted and paid in England then Depeyster was to pay down £300 more currant money of New York; So that in truth Captain Nanfan was to have but £500 currant here for £500 sterling paid in England. The £200 paid was delivered to Romer, And has been since imployed in the begining of a fort at Albany. This is all that I can say upon the Account of those bills. As for the other part, whereby your Lordships are pleased to direct me to draw no such bills hereafter; I doe assure you that no such bills shall be drawn by me for the future: And I look upon it as one of the greatest misfortunes that could befall me, that I did not receive your orders sooner; Because I should then have drawn noe such bills at all, Whereas upon finding the necessity of carrying on the Fort at Albany, I did draw bills upon the Commissioners of the Treasury (not knowing that my Lord Godolphin was Lord High Treasurer) for £376 Sterl: for which bills I have received £500 Curr^t money of New York which is just £133 currant for £100 Sterling. If in this I have done amiss I hope your Lordships will beleive it only my Zeal for the Service that made me do it. And indeed if I had not found orders for drawing, and those orders not contridicted, I should not have presumed to draw at all; But for the future I shall expect your directions and intreat your favourable interpretation for what I have done, As for a survey of the Fortifications in this Colony, I beg leave to refer you to my letter of the 24 of September last by which you will see how much this poor Province wants the assistance of her Maj^tys favour especially considering that I find this Province near ten thousand pounds in debt abundance of Warrants standing out against the Government, and not one farthing of money in the Commissioners hands to pay those debts and what is very unhappy for me is, that this is our condition at the begining of a War,

However I intreat your Lordships to beleive that no dificulty whatsoever shall discourage me from doing my duty as long as the Queen shall please to intrust me with this Government I am

My Lords

Your Lordships most

faithfull humble Servant

CORNBURY

New York
Decr the 12. 1702.

Attorney-General Broughton to the Lords of Trade.

[New-York Entries, E. 458.]

To the Rt Honble the Lords Commissioners for Trade and Plantations

My most Honred Lords

The 3 of September 1701 I paid my duty to your Lordships in a thankful acknowledgment of your favours to me, in my ready dispatch to this place, I wrote one since to Mr Popple your Secretary by the was of Philadelphia to acquaint your Lordships (as he thought fitt) with the difficulties and hardships were put upon me by Mr Atwood my fellow travailer here, That letter bore date the 4 of May last, but I fear never came to hand, because others that went with it which I hear nothing; And therefore am surprised at your Lordships goodness to me in so great a care and concern for me, as to obtain her Majestys order in Councill for my restoration to my office of attorney Generall, in case of suspension from it; The which my Lord Cornbury hath acquainted me with, shew'd me orriginal and given me a copy thereof. But I thank God that dutifull behaviour I shewed to the late Lieutenant Governour upon all occasions, as knowing the Commission he had; kept me so well in his favour (with the help of one freind more, Mr Noell the late deceased Maior of this City) that he did not suspend me either from my office or Salary; though in my own hearing at the Council Board the latter was, upon occasion of my opinion only (which I now perceive with satisfaction his known to your honours) in great heat and passion moved against me by the then Cheif Justice Atwood. But my Lords I am sensible I could not have supported myself many days longer by any interest whatsoever Had not the most happy arrival of his Excellency our present Governour brought deliverence to the Province and myself also. I doubt not but his wise and just administration will be as well approved on at home as it is here. His Excellency came prepared to heal us knowing our distemper before his access. I am well assured your Lordships have, and constantly will have such exact accounts of the state and condition of this Province from his Excellency that during his Government thereof, I shall have no occasion to trouble your Lordships with particulars in that nature. But in General I may adventure to say so great and good a change is wrought amongst us since his Excellency's arrival, that the Magistracy here hath now put on so sweet a face and Countenance towards us as gives us all hopes of safety and protection, no fears of hurt or injury from it. And that I may continue the enjoyment of this Blessing I must beg leave to address your Lordships to move her Majesty in my behalf that my Commissions of Attorney and advocate Generall for these parts

may be renewed to me, Since by the demise of the late King, I fear they are determined; and the order sent me by your Honours is only to restore in Case of Suspension; Which how far his Excellency will favour me on, I cannot tell having not yet had opportunity to put the Question to him I shall not presume to trouble your Lordships further at this time than to assure of all truth and fidelity to her Majesty and her affaires, all duty and obedience to your Lordships and your Commands from

My Lords
Your Honours
Most faithfull humble and
most obedient Servant
Sa. Sh: Broughton

New York
12 Decr 1702

Lord Cornbury to the Lords of Trade.

[New-York Entries, E. 411.]

To the Rt Honble the Lords Commissioners for Trade and Plantations

My Lords

Though I dispatcht the Benjamin on the 14 Instant yet the South-westerly Winds have detained her here still; Therefore I take this opportunity to inform your Lordships that this afternoon I received information from East Jersey, that Côll Andrew Hamilton has very lately held a Meeting or Assembly in East Jersey which he calls the Governour of East and West New Jersey assembled in Councill. In this Councill, so termed he has thought fit to receive several petitions and to make several orders upon them. He has ordered a tract of land to be assigned to Lewis Morris Esq: in consideration of his Services when in England. And he has ordered that the quit Rents due by the said Morris to the proprietors for several tract of land be allowed him This is as far as my information goes, which I thought myself obliged to inform your Lordship of. I am told in a day or two. I shall have a full account of the whole matter with the names of the persons present I[f] this ship is not sailed before that time, I shall acquaint you with what further information I receive, I am

My Lords
Your Lordships most
faithfull humble Servant
Cornbury

New York
Decr the 21. 1702.

Mr. Atwood's Answer to Lord Cornbury's Reasons for Suspending him.

[New-York Entries, E. 335.]

The answer of William Atwood Esq: to the pretended grounds and Reasons certifyed by Mr Honan, as given by Edwd Lord Visct Cornbury for suspending the said William Atwood from his offices of being Cheif Justice of the Province of New York in America, Judge of the Vice Admiralty and of the Councill

This Respondent humbly submitting to Her Majesty's Consideration what would be the consequence if Governours in remote Plantations should be suffered to exercise original Jurisdiction over Judicial proceedings and Acts of State under former Governments and to assume the Offices of Judges and Jurymen and if the bare Certificate of a man so notorious for abetting Pirates and other foul Practices as Honan should be admitted for a charge against a Judge whose Impartial Judgments for the Crown have raised great clamours from open violaters of the law, beggs leave to represent

1. That as he humbly conceives, he is not to be thought to be charged in any particular by the Lord Cornbury, since nothing appears under his hand to subject him to an Action if the accusation prove groundless and the Original, if any such there be is in his own Custody.

2. His Lordship tho' he actually suspended this Respondent on the 9 of June last has hitherto given no reason according to the trust reposed in him the supposed reasons not being Certifyed by himself

3. In the pretended reasons tis said his Lordsp was soon after his landing [presented] by a great number of the principal Inhabitants with 33 Articles against this Respondent with a great number of affidavits to support and justify them and yet no Article appears with any bodys hand to it neither has his Lordsp or Honan transmitted any one pretended proof prior to the suspension.

4. All the supposed proof now rests in papers depending solely upon the Credit of Honan's Certificates without the Seal of the Province; And if the Attorny General Broughton (who would have his inactivity and coldness in the service of the Crown to say no worse, pass for cause of censuring this Respondents zeal and dilligence) in conjunction with the late Arbitrary Mayor and Mr Rip Van Dam provoked by that lenity which accepted of his acknowledging his offence, have succeeded in their labour to get Affidavits to colour a Suspension first pronounced without any one pretended proof of the grounds, It is to be presumed that they or one of them or else Mr Honan have made such Interlinations and changes that they dare not suffer the originals to be seen, or otherwise it is to Skreen the swearers from prosecutions for perjury; However the affidavits not being taken in any Court or capable of being on Record, no Copies of them can be Evidence.

5. If such papers could be admitted for Evidence it would approve that all the imagined grounds to colour the Suspension, are founded upon Judicial Proceedings wherein if there be Error the law has appointed a proper method of Reversal, but till the[n] Judgments in the Supream Court and Sentences in the Vice Admiralty ought to be looked on as inviolable and to countenance reflections upon them would be a great Prejudice to the Course of Justice especially in the Plantations where that Course is to frequently stop'd at the Sollicitation of Offenders

6. No examinations ought to have been taken by the Lord Cornbury against this Respondent unless in relation to Corruption or some Practice foreign to the Office of a Judge. Indeed the supposition that this Respondent had demeaned himself unduely, unjustly and corruptly was declared has the ground for the Suspension pronounced; but neither before nor since was their

the least proof to colour it. But that General charge will appear founded barely upon a false supposition that this Respondents Proceedings had no legal Warrant, Whereas if they had not, no averrment or suggestion will lye against the Office of a Judge.

7. If the Lord Cornbury had an authority to try Causes over again originally in his Chamber, and should have found that there was cause for this Respondents being Suspended, as it is humbly conceived by virtue of the Act of Parliament continuing all Commissions which were in force at the demise of the late King, his Lordship could not suspend having no Authority to make void the Commissions which were to be in force Six months after the demise, unless sooner made void, But by reason of that Act and her Majesty's gracious Proclamation, in pursuance of it, his Lordship ought to have waited for the declaration of her Majesty's Pleasure

8. Whatever his Lordships power might have been in this matter, yet it was unjustly executed in that the Suspension pronounced was not only before any Proof upon Oath against the Party suspended, but without communicating any particular ground to him, or hearing what defence he could make, and what he could upon the place offer to invalidate any testimony which might be brought against him.

9. The only colour for this Respondents suffering what he has hitherto done, his from the Authority and Reputation of a Governour, who labours to make good his undue Censure the real grounds for which cannot be set in a true light without shewing wherein his Lordship would excuse or palliate his manifest renouncing the Authority of an English Governour by breaking the laws of Trade, protecting the notorious breakers of it from Justice, Imprisoning the Sheriff of the County and City of New York in the Fort, for giving liberty to a condemn'd Trator who fully and freely confessed his Crime, Suffering such prisoners to escape and encouraging one of them to bring Actions of ten thousand pounds each against his Judges, violating the Rights of the City, Taking away the freedom of Elections to the General Assembly of the Province, and by such means procuring a Majority to his mind with other enormities whereby he has forfeited that Reputation, the presumption of which is a totall defect of Evidence.

Wherefore this Respondent humbly hopes, that he shall not be obliged to make any further or more particular answer till he shall have obtained leave to exhibit Articles against the Lord Cornbury and one of his instruments in Maleadministration, the Attorney General Broughton, upon examination of which, it will appear that, if this Respondent would have connived at illegal Trade, Scurrilous Reflections upon his late Majesty, King William of glorious memory and a manifest defection from the Crown, he might have still enjoyed his offices with Plenty and outward peace but to the breach of his oath and great prejudice of the Crown Trade and Customs of England.

16th January 1703. W. Atwood

Order in Council reversing the Sentence passed on Bayard and Hutchins.

[New-York Entries, E. 345.]

At the Court of S^{t} James's the 21 day of January 1702

Present— The Queen's most Excell^{t} Maj^{ty} in Council

Whereas her Majesty did this day hear Council learned in the law, on behalf of Côll Nicholas Bayard and Alderman [John Hutchins] Inhabitants of the Province of New York, touching

Accusations and Prosecutions for Treason and Misdemeanour objected against them respectively in the said Province upon which they have been indicted and convicted and had sentence of death and Forfeiture and other pains and penalties past upon them, as in cases of high Treason and Misdemeanours, for offences pretended to be committed against an Act of Assembly made in the third year of the late King William of Blessed memory; And William Atwood Esq: who sate as Cheif Judge at the said Tryal and gave sentence therein, As likewise Thomas Weaver Esq: who prosecuted the said persons as Sollicitor General, having been also heard by themselves and learned Council at the Board: Her Majesty having considered the said matter and being sensible of the undue and illegal Prosecutions against the said Bayard and Hutchins as aforesaid was graciously pleased with the advice of her Privy Councill to order as it is hereby ordered that the Right Hon^ble^ the Lord Viscount Cornbury her Majesty's Governour in Cheif of the Province of New York, do direct her Majesty's Attorney General in that Province to consent to the reversing the Sentence [and Sentences] given against the said Côll Bayard and Alderman Hutchins and all issues and proceedings thereupon, and to do whatsoever ellse may be requisite in the law for reinstating the said Bayard and Hutchins in their Honour and Property, as if no such Prosecution or Tryal had been

JOHN POVEY [1]

Order removing Messrs. Atwood and others from the Council of New-York.

[New-York Entries, E. 451.]

At the Court of S^t^ James's the 21 day of January 1702

PRESENT—The QUEENS MOST EXCELL^t^ MAJESTY in Councill

Upon taking into consideration this day at the Board, a Representation from the Lords Commissioners of Trade and Plantations dated the 31 of December last, together with a draught of Instructions for the Lord Cornbury Governour of her Majestys Province of New York, And W^m^ Atwood and Thomas Weaver, Abraham Depeyster Samuel Staates and Robert Walters who have been suspended from their places in the Council by the Lord Cornbury for divers irregular and illegal Proceedings having been this day heard with their Council Learned, at the Board; Her Majesty with the advice of the Privy Council, is pleased to order that the said William Atwood Thomas Weaver, Abraham Depeyster, Samuel Staats and Robert Walters be removed from their Places in the said Councill, and that the five other persons recommended by the Lord Cornbury be admitted to supply those vacancies; and her Majesty is there upon pleased to approve the said draught of instructions which is hereunto annexed, with the names of twelve persons to be of the Councill of New York, as inserted therein, and to order the same to be prepared for her Majestys Royal Signature, and the R^t^ Hon^ble^ the Earl of Nottingham her Majestys Principal Secretary of State is to give the necessary directions herein accordingly

JOHN POVEY.

[1] The words within Brackets, in the above Document, are added from the Volume in the Secretary of State's Office, endorsed, *Licenses and Warrants*, VI. 18, 19.—ED.

Lords of Trade to Lord Cornbury.

[New-York Entries, E. 349.]

To the R^t Hon^ble the Lord Cornbury her Majestys Captain General and Governour in Cheif of her Majestys Province of New York and of the Territories thereon depending &c^a in America, Or to the Commander in Cheif of the said Province for the time being.

My Lords

We have received your Lordships letters of the 16 of June, of the 24 September, four of the 29 of September and one of the 1 of October last; together with the papers therein referd to, and several others not mentioned in any of them.

As to that of the 29 September which relates to the lawes of New York, We herewith return you a particular Answer.

We are preparing a Report to be laid before her Majesty concerning the state of defence of that Province and upon whatever else you write that may require her Majesty's directions. In this report we shall offer to her Majesty Our opinion for a supply of Arms and ammunition, and for some assistance towards the charge of the Fortifications the success whereof we shall acquaint you with. But in the mean time We judge it very requisite that you use all proper endeavours to excite the Assembly to make provision for the charge of the Fortifications on the Frontiers which seem most necessary for the security of that Province

By the Copy of our Representation inclosed in our forementioned letter you will perceive we have already offered to her Majesty Our opinion that M^r Atwood, M^r Weaver, M^r Depeyster, M^r Staats and M^r Walters whom you had suspended from the Councill and other imployments, be accordingly displaced And that we have inserted in your instructions the names of other persons recommended by [you] to fill up their places in Councill. Her Majesty was thereupon pleased to appoint that M^r Atwood and M^r Weaver should be heard by their Councill Learned before her Majesty in Council, in their own defence Upon which occasion we furnished M^r Thrale your Lordships Agent with all papers that you had transmitted to us, relating to their proceedings in the matters objected against them. And a hearing having accordingly been had you will perceive by the inclosed Copies of her Majesty's orders in Council that they are displaced The persons whose names We had inserted in your instructions are made Counsellors. And the Sentences against Côll Bayard and Alderman Hutchins are to be reversed.

We think proper to acquaint your Lordship that in perusing the papers transmitted to us with your Lordships letters, We were surprised to find many of them subscribed by M^r Honan as Secretary. We remind your Lordship that we wrote to you concerning the Character of this man before leaving England and that your Lordship answer'd us the 21 of Dec^r 1701 from Spithead. We leave this to your Lordships consideration not doubting but you will judge it necessary that the person who exercised a place so considerable as that of Secretary of the Province should be of unblemished Credit and Reputation.

We further offer to your Lordship that the only means to preserve the Province and to promote her Majesty's Service there will be that your Lordship will use your utmost Endeavours to extinguish all animosities which have so unhappily divided to Province We are

My Lords
Your Lordships
Most humble Servants
Rob: Cecill
Ph: Meadows
Wm Blathwayt
Jno Pollexfen
Mat: Prior

Whitehall
Janry 26. 170⅔

Lords of Trade to Lord Cornbury.

[New-York Entries, E. 352.]

To the Rt Honble the Lord Cornbury

My Lord

I answer to your Lordships letter of the 29 September last containing your observations upon the Acts passed in an Assembly held in April and May foregoing We herewith send your Lordship a Copy [of] the Representation which we laid before her Majesty relating to those Acts as likewise a Copy of her Majesty's order in Council thereupon, both dated the 31 of last month; By which you will perceive that her Majesty has upon our Report been pleased to disallow all the Acts against which you have objected And that the Act for continuing the Commissioners of Accounts for one year longer being the only one without exception will of course remain in force till that time be expired

We send your Lordship also here inclosed a list of Acts past in the General Assembly of New York during the Government of the Earl of Bellomont and of Captain Nanfan, which have not yet been either confirmed or repealed We desire your Lordship to consider them very carefully in her Majesty's Council at New York and to report to us your own and the Councils opinion upon each of them respectively with relation to her Majestys Service and the Interest of that Province We are

My Lord
Your Lordships
Most humble Servants
Rob: Cecill
Ph: Meadows
Wm Blathwayt
Jno Pollexfen
Mat: Prior

January 26. 170⅔

P. S. Since the writing of this letter, upon consideration of the Act for declaring the Town of East Chester to be a distinct Parish &c And of the reasons offered to us against it by the Right Reverend the Lord Bishop of London, We have prepared a report to be laid before her Majesty with Our humble opinion that the same be dissallowed.

Petition of the Countess of Bellomont to the Queen.

[New-York Entries, E. 366.]

To the Queen's most Excell^t Majesty

The humble Petition of Catharine Countess of Bellomont

Sheweth

That your Petitioner after the death of her husband the Earl of Bellomont was obliged before she could return home into England to give £10,000 Security to your Majesty for her appearance at New York in April next, upon Account of money pretended to be due to the 4 Companies there, thô your Petitioner is ready to make it appear, whenever your Majesty shall please to order her account to be taken that there is nothing due to the said Companies, of all the money which the late Earl of Bellomont received.

That after the death of the said Earle of Bellomont your Petitioner received Warrants Signd by the Lieutenant Governour for the arrear of his Salary as Governour, and for other disbursments made by him which were allowed by the Council, amounting to the Sûme of £1289 14. All which is still unpaid, As also an Arrear to the said Earl, as Captain of one of the Companies there.

May it therefore please your Maj^ty for as much as the persons who are Security for your Petitioners appearance at New Yorke, are lyable to be put to Trouble upon Account of the said Bond, to grant an order under your Majesty's Sign Manual to discharge the said Bond, Your Petitioner being ready to Account here; As also that the Warrants due to your Petitioner, may be forthwith paid, And the Arrear of the late Earle's Pay, as Captain, cleared here, The said Warrants and arrear of Pay being all that has been saved during the faithfull Service of the Earle of Bellomont in the Govern^t of New York and New England for almost four years.

And your Petitioner shall ever pray.

Kat Bellomont

Memorial of Mr. Champante to the Lords of Trade.

[New-York Entries, E. 371.]

To the Right Hon^ble the Lords Commissioners for Trad and Plantations

The humble Memorial of John Champante for and on behalf of John Nanfan Esq: late Lieutenant Gov^r of Her Majesty's Province of New York

My Lords

Having been desired by the said M^r Nanfan to apply for Releif against the several hardships he now is under, I humbly presume to lay a state of some of them before your Lordships and hope your Lordships immediate care will prevent his ruine, which must otherwise be unavoydable.

For he has been compelled to account for the subsistence of her Majesty's 4 Companies there from the time of the late Earl of Bellomonts Death to the 9 of May last, Whereas I have received, as his Agent the said Subsistence but to the 24 of December 1701, whereby he stands charged with and has disbursed to the use of her Majesty's said Companies there above £1700 more than has been paid to his order here, And yet notwithstanding he has been arrested in an Action of £5000 in her Majestys name and obliged to find bail to appear to it thó he had before offered to give in sufficient Security for the payment of any just Ballance that should appear due from him, by which severe usage he is confined in the Province, to the very great prejudice of all his affaires

And the further to detain him there several have been encouraged to bring actions against him without any just or legal ground whatsoever; As particularly one Mr John Graves and one Mr Roger Prideaux who have now laid actions of £2500 each upon him for false Imprisonment and who were committed by him and the then Council till they should give in Security to surrender themselves to a Secretary of State upon the Oath of Mr Hasket late Governour of the Island of Providence charging them with very high Crimes.[1] And when the last letters came away from thence, he was under the apprehensions of other such like groundless vexatious Actions

The said Mr Nanfan therefore humbly hopes that there may be such due and speedy care taken of him that without any prejudice to the Securities he has been forced to give in, he may have liberty to come for England to answer for and defend his Administration of the Government there and to look after his own concerns And he is now and always shall be ready to state and settle his public Accounts upon which as matters stand at present there is a very great balance due to him

All which is humbly submitted to your Lordships

My Lords

Your Lordships

Most humble and most

obedient Servant

Febry 4. 1702. J. CHAMPANTE

Secretary Hedges to Lord Cornbury.

[New-York Entries, E. 886.]

To the Right Honble the Lord Cornbury

My Lord

The Countess of Bellomont having lately presented a Petition to the Queen therein representing among other things that she was obliged before she could return from New York to England to give ten thousand pounds Security for her appearance at New York in April next, upon account of money pretended to be due to the 4 Companies there from the late Earl of Bellomont her husband, while he was Govern of New York and that she is ready to accompt here and to make it appear that there is nothing due to the said Companies of all the money

[1] See ante, p. 929. —ED.

which the said late Earl of Bellomont received, and therefore praying that the said Bond may be discharged. Which Petition having been referr'd to the Council of Trade for their consideration And they having thereupon reported their opinion that her Majesty may be pleased (if she so think fit) to allow the further space of six months beyond the time specifyed in the Bond for the appearance of her Ladyship or her lawful Attorney to answer her Majesty's Suit as aforesaid, She first giving Copies of her Accounts to the said Council of Trade, in order to their transmitting them by the first conveyance to your Lordship; Which her Ladyship having already accordingly done, I am commanded to acquaint your Lordship that it is her Majesty's pleasure that she be allowed the said Six months beyond the time specified in the said Bond And that your Lordship do therefore give order that the Sureties therein mentioned be not in the mean time prosecuted for her Ladyships Default. I am

My Lord

Whitehall
Feb: 12. 170$\frac{2}{3}$

Your Lords^{ps} &^{c}
C. Hedges

Lords of Trade to Lord Cornbury.

[New-York Entries, E. 381.]

To the Right Hon^{ble} the Lord Cornbury

My Lord

Since our letters to your Lordships of the 26 of the last month, we have received several letters from your Lordship by one Conveyance all dated in December last The particular subjects both of them and your former we shall answer fully very soon

At present we will only acquaint you that the Countess of Bellomont having petitioned her Maj^{ty} that the Security she has given at New York for her appearance there in April next may be discharged the consideration of which her Majesty was pleased to refer to us And we have thereupon offered our opinion for respiting the time of her appearance for six months after the expiration of the time now appointed And her Ladyship having also laid before us her accounts for the whole time of the Earl of Bellomonts Administration in the Government of that Province and given us a copy of the vouchers which she intends to make use of in justification of her account: A letter has thereupon been dispatched by M^{r} Secretary Hedges signifying her Majestys pleasure that six months longer time be granted for the appearance of her Ladyship or her lawfull Attorney at New York in reference to the publick demands and that in the mean time her Sureties be not prosecuted for her Default; Which letter will be transmitted to you by her Ladyship or her Agent.

We have also thought fit to send you Copies of all the foresaid papers which have past through our hands viz^{t} The Countess of Bellomonts Petition with the order of Reference upon it, Our report to her Majesty in a letter to M^{r} Secretary Hedges upon the same subject with the Lady Bellomonts Account and copy of her vouchers, that your Lordship may

examine the said Account in Council and return to us your objections (if any) thereunto for her Majesty's final directions in that matter. We are

My Lord
Your Lordships
Most humble Servants
WEYMOUTH
ROB: CECILL
PH: MEADOWS
Wm BLATHWAYT
JNo POLLEXFEN
MAT: PRIORS

Whitehall
Feb: 22. 170$\frac{2}{3}$

P. S. We have acquainted the Lady Bellomont that she should order her Agent in New York to give his attendance in Council for explaining her Account.

We are informed of divers severe prosecutions in New York upon occasion of the late Government and former Resentments, Whereupon we remind your Lordship of what we enjoyned you as we have often done to your Predecessors that you should no way countenance the Retaliation of former injuries but by all fair means contribute your endeavours for the quieting the minds of the people.

Lords of Trade to the Earl of Nottingham.

[Trade Papers, XXIV., (6.)]

Whitehal February the 25th 170$\frac{2}{3}$

My Lord,

In pursuance of your Lordship's signification of Her Majesty's Pleasure that We should consider of a Proposal made by Sir Jeffrey Jeffreys for setling Packet-Boats between the Isle of Wight and New York, We have several times confered with him about that matter, and take leave to acquaint your Lordship;

That he offers to furnish two Ships, each of 150 Tuns, 14 Guns, and 40 men, well built for sailing and provided with Oars; One of them to part (in a few days after the agreement is concluded) from the Isle of Wight for New York, to remain there 30 Days and then return; The other to sail from the Isle of Wight about two months after the first, and proceed in the same manner; And so both of them to keep the said course by turns; For his incouragement wherein he desires the Liberty of taking in passengers, as likewise goods for ballast not exceeding 50 tuns in each vessel, to have effectual protection for the seamen both on board and on shore, and 350 pound per month for the hire of the said vessels, reckoning 13 months to the year, to be paid quarterly, and the first three months imprest before hand.

Upon consideration of which proposal, We desire your Lordship to offer to Her Majesty our humble opinion.

That the setling of such a correspondence between this Kingdom and Her Majesty's Plantations on the Continent of America will be of great use to Her Majesty's Service in those parts, and of advantage to the Plantation Trade, especially during the War.

That in order thereunto We humbly conceive it may be convenient the two ships proposed be constantly imployed in going and returning between the Isle of Wight and New York; Which is near the center of Her Majesty's Plantations on that Continent.

That we do not conceive it fit that so long a time as desired by him be allowed for the stay of the said Vessels at New York; But rather that their stay in Harbour be as short as possible, not exceeding five days either there or at the Isle of Wight: It being the expedition of those Voyages which makes the undertaking most useful. And the answers of letters to New York sent by either of these Packet-Boats may in that manner be forthwith returned from thence; And from all Her Majesty's other Plantations on the Continent sent thither, to lye in readiness against the arrival of the next Packet Boat, Which will make the course of this Correspondence as regular and expeditious as is possible for two packet boats.

That we humbly conceive it very necessary there be effectual protections granted for the Seamen belonging to both these Vessels.

And we have reason to hope that since he insists upon the carrying of 50 tun of goods in each vessel, out and home; he will abate of the price he would otherwise ask for his service.

As to the charge of this undertaking, We leave it to the consideration of the Officers of the Navy and Post Office, who will be best able to judge of it and make the agreement. We are

My Lord

Your Lordship's

most humble Servants

WEYMOUTH

ROB: CECILL PH: MEADOWS

Wm BLATHWAYT JOHN POLLEXFEN

Rt Honble the Earl of Nottingham. MAT PRIOR.

Upon a fresh Application from Sir Jeffrey Jeffreys, We humbly offer that the first packet boat only be permitted to stay 30 days at New York, and bring away such Lrês: as may in that time be ready, But that the stay of the following Packet boats be confined to 5 days and no more, as We have proposed.

Lords of Trade to the Earl of Nottingham.

[Plantation General Entries, XXXVI., (C.) 222.]

To the Right Honble the Earl of Notingham.

My Lord

In pursuance of your Lordships letter of the 1 Instant we have considered a second proposal offered by Sir Jeffrey Jeffrey's for an experiment of a vessell to make two voyages to New York for settling a correspondence with the Continent of America By which the said Sir Jeffrey Jeffreys desires that his Vessell may be made a Packett Boat and have a protection for forty men during the two Voyages to be performed in six or seven months, that his Vessell may stay thirty days at New York, and take in upon freight such goods & Passenger as offer out and home without any limitation And that for this nndertaking he may have the advantage of the Postage of all letters to be sent & returned by the said Vessell.

Upon which we humbly offer that these Priviledges will be of Benefit to the said Sir Jeffrey Jeffreys by the preference given him in the course of his trade, but of no advantage to the Publick For that the unlimited taking in of what goods he thinks fit will too much retard the sailing of his ship, and the thirty days [s]tay at New York wlll frustrate the dispatch which is Chiefly designed by the setting up of the Packet boats for the West Indies. This Vessel in the manner now proposed being no more useful for the Conveyance of letters to and from those parts than any other ship trading to New York or other part of the Continent Whereas in the case of his staying five days at New York and not carrying above fifty tunns of Goods as mentioned by us in our first report) the intent of a quick Correspondence was better answered and might have been carryed on with little charge; So that upon the whole matter We are humbly of opinion that this last proposal will no ways contribute to her Majestys Service or the benefit of the Plantation Trade. We are

My Lord
Your Lordships
Most humble Servants
WEYMOUTH
PH: MEADOWS
Wm BLATHWAYT
JOHN POLLEXFEN
MATT: PRIOR

Whitehall
the 4 March 170$\frac{2}{3}$

Opinion of the Attorney-General respecting Actions against the Judges and Grand Jury of New-York.

[New-York Entries, E. 489.]

Mr Attorney Generals Opinion about Actions brought by Côll Bayard and Mr Hutchins against their Judges and Grand Jury

Côll Bayard and Alderman Hutchins of the City of New York were tryed, found guilty and condemned for a High Treason grounded on an Act of Assembly of that Province but were reprieved by the then Government of New York till her Majesty's Pleasure should be known.

Upon the arrival there of my Lord Cornbury the present Governor they were allow'd the liberty of the City and have since, their attainders being yet unrevers'd brought Actions against the Judges of the Supream Court before whom they were tryed and against most of the Gentlemen of the Grand Jury who found the indictmts BILLA VERRA

Quere Whether they the said Hutchins and Bayard standing yet attainted can have any such Right of Action against either Judges or Grand Jury and whether they could have brought such actions had their attainders been actually reversed

I am of opinion that the actions ought not to have been brought either against the Judges or the Grand Jury and that same will not lye against them for what they did as Judge or Jury; Besides a person attainted cannot sue nor in this case will any Action lye after the attainder is reversed

EDW: NORTHEY

March 8. 170$\frac{2}{3}$

Opinion of the Attorney-General respecting Actions against Provincial Governors.

[New-York Entries, E. 422.]

Mr Attorney Generalls Answer to the letter write him the 26 February 170$\frac{2}{3}$ relating to the Private Actions brought against Capt: Nanfan.

In answer to the said Queries

I am of opinion that the Governours of her Majestys Plantations when discontinued, may be arrested and prosecuted in the said Plantations by particular persons for arbitrary and illegal imprisonments and other proceedings without probable Cause for doing the same; But I am of opinion that on the fact stated by the memorial and appearing by the affidavits of Lawrence Quinoe made before the Lord Cheif Justice Holt and of John Dogett and Charles Macarty made before the Earle of Nottingham, the said Graves and Predeaux have no just cause of Action against Mr Nanfan for the proceedings against them there appearing sufficient ground for him and the Councill to doe what they did against the said Graves and Prideaux However the Actions being brought Mr Nanfan must answer to the same and defend himself against them by shewing the Grounds for his Proceedings, which will justify him thô the Accusers of Graves and Prideaux might misinform the Deputy Governour, who will be justifyed by the accusation of them on Oath, in what he hath done; And it will be necessary to make his defence particular; and not plead Not Guilty Generally. If Mr Nanfan were in England the parties Greived might su him here in an Action for false imprisoment, And by the Statute 11. Will: Cap: 12 The Queen may in England indict the deputy Governour for any misdemeanours committed by him during his Government. And may bring him to an account here for any moneys he hath received belonging to her Majesty

March 12. 170$\frac{2}{3}$ EDW: NORTHEY

Mr. Champante to the Lords of Trade.

[New-York Entries, E. 432.]

To the Rt Honble the Lords Commissioners for Trade and Plantations.

The Answer of Jno Champante Esq: to the extract of a letter dated 12 of Decr 1702 from the Lord Cornbury to their Lordships.

My Lords

I am not at all surprised at the ill account your Lordships have received of the last Cloathing sent to New York I had the honour to know my Lord Cornbury very well before he left England; And from the several diferences between us which, in respect to his Lordship I sha' n't here particularise I could not expect a better representation than I find is come; Which I shall take the Liberty to follow step by step, and shall chearfully submit the whole to your Lordships severest consideration

The Cloathing sent to New Yorke where consigned to her Majesty's Governour in Cheif of the said Province for the time being or to his assigns, as by the bill of lading which his Lordship is pleased to term a scrap of paper with the numbers and Marks of the Parcells will appear; And therefore how his Lordship comes to mistake himself so far as to acquaint your Lordships that I did not think it fit to consign them to him but to Captain Nanfan, I can't tell. The bill of lading was indeed inclosed in a letter of mine to Mr Nanfan whom I desired to wait upon his Lordship with it; and to endeavour to be present at the opening of the several parcells; For his Lordship having been pleased to break off all Civill Correspondence with me here I was at a loss what Complement to make him myself, and therefore chose rather to put that office upon my friend whom for many reasons, I should have been very glad to have had a witness of the Condition the Cloathing came to his Lordship in; But that it seems was not thought fitting for a private Commission unknown to Mr Nanfan (as my advices are) was issued for the taking up and for the examination of them, the first of which Commission was Monsieur Fauconier, a frenchman and a bankrupt here, thô now thought by his Lordship the properest manager of her Majestys Revenue there, and whom your Lordships can't forget, He having with one Honan an Irishman whose Character your Lordships are very well apprisd of, yet now acting as Secretary of New York, offered several allegations to this Rt Honble Board, which your Lordships cou'd not be satisfied of the truth of, and which occasioned your Lordships to think it then for his late Majestys service that I should concern myself in the Cloathing now in question, in which the then Lords of the Treasury upon your Lordships representations were pleased to concur with your Lordships and to desire the Earl of Ranelagh and one of your Lordships to agree with me for a Cloathing, which upon Patterns Sealed of every thing to be provided they accordingly did and reported the charges and Rates thereof to their Lordships, and thereupon his late Majty issued his Warrant dated 18 February 170½ to answer the same to me out of the offreckonings concerned in Course; So that looking upon your Lordps and the Board of the Treasury to be my principals in this matter I cou'd not think myself under any obligation to send an invoice of the said Cloathing to his Lordsp the omission of which he has been pleased to make the second part of his charge against me, which I shall readily admit to be true and shall submit myself to your Lordships censure upon it. But I have now your Lordships orders to lay a particular invoice and estimate of that cloathing before you: In obedience to which I have hereunto annexed the same.

His Lordships heaviest charge comes next, in which he affirms that the Cloathing in question is the worst that ever was put on Soldiers backs and that the cheif Merchants with him are all of his mind Now with all due deference to his Quality, I do positively affirm the contrary and do assure your Lordships that they were as good as any and better than the most In which I don't desire your Lordships to be satisfyed with my bare word but shall be ready to lay before your Lordships such undenyable proof of the goodness of them as must fully clear me in this matter, the several Traders whom the particular Commodities were bought of and the persons concerned in the making and packing them up can fully justify that they were as good as were ever bought for that Service and know very well the extraordinary care that was had to have them so the taylor and packer can satisfy your Lordships that they were exactly made up to the pattern agreed upon And therefore that must fall under his Lordships censure to, tho' it satisfied the persons aforesaid whose judgment I hope may weigh as much with your Lordships as his

But my Lords I can go further yet in my justification which I did imagine notwithstanding all the honest care I took his Lordship might put me to and therefore before the Cloathing

were packet up Mr Cardonel, who is now in Holland and his brother and Mr Pauncefort of the pay office and his brother at my repeated request spent some time in the looking of them all over and comparing of them with the respective sealed patterns and fully approved of every thing except of some few hatts which they did not object against for either the stuff or making but for the size of the head which were therefore with some others of the same size changed as to little for larger of the same sort

What I have now offer'd in my own defence your Lordships can easily come to the truth of which I humbly desire your Lordships to examine into, that so I may be able to vindicate myself from this aspersion in giving your Lordships satisfaction as to the justice of my management in this business

I am
My Lords
Your Lordships
Most humble and
most obedient Servant
J Champante

March 22. 170$\frac{2}{3}$

Representation of the Lords of Trade concerning New-York.

[New-York Entries, E. 442.]

To the Queen's most Excel^{t} Majesty

May it please your Majesty

Having lately received from the Lord Cornbury your Majesty's Governour of New York several letters and papers concerning that Province we humbly represent to your Majesty that we are thereby informed; as to the state of Defence of said Province

That the Fort of New York is in a very ill condition nothing having been laid out upon it since Côll Fletcher came from thence, The parapet being of Sod work is fallen down in many places most of the platforms and of the Carryages quite rotten many of the Guns dismounted and some of them honey-combd so that they cannot be safely fired

That the Forts at Albany Schenectady Canestigione and another upon Hudsons River called the Half Moon are likewise in a ruinous Condition His Lordship is therefore building a new fort at Albany and designs to put the other forts in a better state of repaire

That very few of the Stores which his Lordship found at New York and at Albany (whereof he has sent us the annexed Inventories) are fit for Service.

That as to the four Foot Companies which ought to consist of four hundred private Soldiers besides officers There were not in his own Company more than eighty active men In Captain Naufans Company no more than Seventy Six men; In Major Ingoldsbys Company eighty four men and in Capt: Weem's Company ninty two men So that there are wanting sixty eight men for the Compleating of the said Companies which his Lords^{p} desires may be recruited

That his Lordship desires four hundred men more for the better Garrisoning of Albany and other fronter places

That the 4 Companies had suffered very much for want of Cloathing which was then just arrived that their Arms were very bad not more than seven and twenty Muskets fit for use in the two Companies at New York, and but twelve swords and twelve bayonets in each of those two Companies Besides which the four Companies are in need of accoutrements and other necessaries to render them fit for Service

That the Militia of the Province is in a very ill state having not been drawn out or exercised for many years last past.

That in consideration of the great charge necessary for carrying on the fortifications and of the low state of the Province which since the Earl of Bellomonts coming there he says is grown much in debt His Lordship further prays that your Majesty would be pleased to direct that he may have some assistance from hence for the fortifications as was intended by his late Majesty.

His Lordship has also transmitted to us the anexed list of the Great Gunns, small Arms and stores which he thinks requisite for the defence of the Province

As for the state of the Civill Goverment his Lordship informs us that he found things in great disorder The annimosities between parties were very high And at the time of his arrival the administration of the Goverm^{t} being cheifly in the hands of unfit and mean persons they had opprest the Cheif and most wealthy inhabitants and brought all to great extrêmy which appears by many addresses presented to his Lordship from all parts within his Government for releif

In reference to the Five Nations of Indians bordering upon New York His Lordship gives us an acc^{t} of a conference he has had with their Cheif Sachems at Albany where he made them presents as usual in order to confirm them in their submission to your Majesty Which thô a considerable charge his Lordship judges absolutely necessary to be continued lest the intrigues of the french of Canada and the influence of their Priests who frequently converse and sometimes inhabit with those Indians should debauch them from your Majestys allegiance

In relation to Naval Stores his Lordship informs us that the Earl of Bellomont having formerly contracted for a parcel of Masts and some Timber for the use of the Royal Navy and a vessell called the Benjamin sent by the Com^{rs} of the Navy to fetch the same being lately arrived at New York he had upon examination into the condition of those Masts found them to be Serviceable but not of the dimensions agreed for And having thereupon prevailed with the contractor to abate considerably of the price he had caused them to be put on board the foresidd Vessell together with so much of the timber as was at New York Adding that there was more timber lying in the woods which should be brought down as soon as the frost was hard enough to bear a sledge but could not be done sooner

Upon all which particulars we take leave to lay before your Majesty

That as to the Forts and Fortifications his Lordship may be ordered to use his best endeavours with the Assembly to dispose them to make suitable provision for repairing the old and erecting new fortifications as shall be judged necessary which together with the Quotas of the neighbouring Plantations (wherein your Majesty may be pleased to renew your directions) may be applyed towards this work

And as his Lordship represents the Province to be in so low a state as to stand in need of assistance from hence we humbly report that upon the like representation from the Earl of Bellomont his late Majesty was pleased to order £2500 should be remitted thither for the said fortifications whereof £500 only was accordingly remitted so that the remaining sum of £2000 has not yet been issued.

As to the stores and materials of war desired by his Lordship according to the annexed list, In case of the 60 pieces of Cannon 1000 fire locks and 200 barrels of powder therein mentioned may not at this time so conveniently be spared, we humbly offer that one third part of the Cannon and one half of the firelocks and other stores therein mentioned be now sent.

As to the four hundred men desired by his Lordship over and above the four Companies, we do not take upon ourselves to judge how far your Majesty can spare any additional number of men

As to the Militia of that Province, We humbly report that amongst the Acts, which his Lordship has transmitted there being one for the better settling the said Militia and making it more usefull for the Security and Defence of the Province We have considered the same and can thereupon only offer that his Lordship be directed to take care that it be duly executed; and that in case the said Act be found by experience to be defective, he move the Assembly that further provision be made for that purpose.

In relation to the Recruits demanded by his Lordship for the 4 Companies, We find by the accounts laid before us, that besides what is due from the Executors of the Earl of Bellomont there is remaining in the hands of Captain Nanfan late Lieutenant Governour of New York the sum of £510 for respits from the 9 of March 1700 untill the 8 of May 1702 and in the Lord Cornburys hands £238 for respits from the 9 of May 1702 untill the 24 of December following, whereof a particular account may be made up in the pay office; which respits we humbly propose may be applyed towards recruiting the said Companies And together with what shall appear to be further due from the Pay Office upon the clearings of those Companies (which we judge to be very requisite) may be imployed so far forth as the same is applicable to this Service, towards provending Arms Accoutrements and other necessaries, which they stand in need of, according to the particulars hereunto annexed

As to the Civil Government of the Province and the unhappy divisions amongst the people We humbly report That having recommended to his Lordship as well as to former Governours the endeavouring to reconcile all parties, he does assure us that he has accordingly applyed himself to that work and will continue to do so, without espousing any party further than your Majestys Service and the rules of Justice do oblige him

As to the Indians, We are humbly of opinion that the usual method of ingaging them by presents be continued and especially as any extraordinary occasion may require. And we further take leave to observe, that another means to prevent the influence of the French Missionaries upon them and thereby more effectually to secure their fidelity would be that two Protestant Ministers be appointed, with a competent allowance to dwell amongst them, in order to instruct them in the true Religion and confirm them in their duty to your Majesty

As to Naval Stores Having likewise received the annexed proposals from his Lordship touching such as may be procured from New York We humbly offer to your Majesty that the same be transmitted to his Royal Highness the Lord High Admiral, in order to an examination thereof and such Directions as may be thought fit

All which nevertheless is most humbly submitted

Weymouth
Dartmouth
Rob: Cecill
Ph: Meadows
Wm Blathwayt
Jno Pollexfen
Mat: Prior

Whitehall
April the 2. 1703.

Lords of Trade to Lord Cornbury.

[New-York Entries, E. 461.]

To the R^t^ Hon^ble^ the Lord Cornbury her Majestys Captain General and Governour in Cheif in and over her Majesty's Province of New York and the Territories depending thereon in America Or to the Commander in Cheif of the said Province for the time being

My Lord

We have not received any letter from your Lordship since ours of the 22 February last, wherein we acknowledged the receipt of those where then come to our hands.

We laid before her Majesty some time since a Representation upon the Act for two thousand pounds to be applyed to your Lordships use, that her Majesty might please to give leave for your Lordship to receive the same, Which has accordingly been granted; And we doubt not but your Agent will have already transmitted to you the necessary orders relating thereunto, whereof we send here inclosed a copy

We have considered the remaining Acts past at the same Assembly, and are preparing a Report upon them to be laid before her Majesty

We have told you in a former letter that we had prepared a Report with our opinion for disannulling the Act declaring the Town of East Chester to be a distinct Parish &^c^ Which having accordingly been done We likewise send you a Copy of her Majesty's Order in Council for that effect.

We have now presented to her Majesty a Report upon the Generall State of the Province of New York according to the letters and papers received from your Lordship Whereof We send you also a Copy that you may see what we have offered to her Majesty upon each particular; and have added the Minutes of what has been ordered thereupon, the effect whereof will be diligently sollicited.

As to the Fortifications proposed by your Lordship, you will use your endeavours with the Assembly that they make Provision in the best manner for the Defence of the Province

We have sent your proposal relating to an Enterprise against Canada to the Earl of Nottingham that it may be considered of

In relation to the Indians, and the advantage that might accrue by having two Protestant Ministers amongst them, We hope your Lordships care and our Representation will be effectual.

As to what concerns M^r^ Weavers accounts, We understand that they are returned to your Lordship for your observations. And we expect that the Accounts of the Revenue be for the future transmitted quarterly.

Having already transmitted the Lady Bellomonts Accounts to your Lords^p^ We have also given to your Agent the copies of whatever has been offered to us by M^r^ Champante relating to the accounts of Capt: Nanfan that he may transmit the same. All which accounts We judge most proper for the examination of your Lordship in Council, in order to your returning a Report upon them and of the particular Vouchers. And we do from former experience think ourselves obliged to advise your Lordship not to charge yourself with the Receipt of any publick money or of the pay of the Soldiers otherwise than of your own Company; But to let all such Receipts and Payments pass through the hands of the proper Officers, who are responsible for the same.

Having acquainted Mr Champante with your Lordships complaint of the Cloathing last sent over by him and received his answer, we have also given a copy thereof to Mr Thrale for your Lordships information

We have lately wrote a particular letter to your Lordship inclosing Mr Attorney Generall's opinion relating to Actions brought by Coll Bayard and Alderman Hutchins against the Judges or Grand Jury by whom they were tryed And we here inclosed send you a copy thereof, as likewise of another opinion of Mr Attorney Generall's relating to Graves and Prideaux.

We observe in one of your Lordships letters the difficulty you found to give us the lists of the inhabitants of the Province as required by your instructions by reason of the ignorance and incapacity of the Sheriffs of some Counties Which we doubt not therefore but you will remedy, so that we may expect those lists in convenient time.

As to your Complaint against the Captain of her Majesty's Ships of War, for their unwillingness to obey the directions of the Governours of Plantations where they come And the instance you give of the ill execution of your Orders by the seamen sent to seize Mr Atwood and Mr Weaver; We do not conceive their ought to be any alteration in the method of such orders. Yours must of course be directed to the Captain or Commander in Cheif, And his to those imployed under him; After which if any miscarryage happen, those that are the occasion of it must bear the blame, according to the importance of the matter. However upon any information we shall receive from you of the disobedience of Captains of Ships, we shall be ready to contribute what lyes in us towards a Redress.

Lastly As we do expect from your Lordship a constant Account by every conveyance of all matters and transactions within your Government, so we do recommend to your Lordship, that your letters be delivered to persons who will be prepared to sink them with weights, in case they may happen to fall into an apparent danger of being taken by the enemy. We are

My Lord

Your Lordships

Most humble Servants

WEYMOUTH
DARTMOUTH
ROB. CECILL
Wm BLATHWAYT
JNo POLLEXFEN
MAT: PRIOR

Whitehall
April 7. 1703.

Report of Messrs. Thrale and Mercer on Lady Bellomont's Accounts.

[New-York Entries, E. 474.]

To the Rt Honble the Lords Commissioners of Trade and Plantations

The answer of Mr John Thrale and Mr Mercer to Mr Isaac Taylor's Memorial

Sheweth

That Mr Champante and Mr Thrale in pursuance of their agreement before your Lordship to settle and adjust my Lady Bellomont's Accounts among themselve amicably did in order

thereto make choice of Mr Mercer to examine it, accordingly there was a meeting, as alledged and by that her Ladyship is already found above £100 a Dr from the first account produced. But Mr Mercer has been so engag'd in fixing accounts to pass before the Commissioners for the Army that a second meeting as yet has not been, but will in a week or 10 days, And thô it be a small delay, yet certainly it can be no prejudice to her Ladyship, because she does not expect to receive any money, But on the contrary will be found a Dr on the Ballance of that account.

That as to the £1680 its certain that will be one of the greatest difficulties her Ladyship will have to clear; But it is not a necessary consequence because that is the greatest, that therefore it is the only difficulty in the Account, which will be as honestly examined and candidly reported as her Ladyship can desire

And as to Mr Taylors suggestion of groundless (or any) Report to her Ladyships prejudice is only a fiction of his own coining, and therefore needs no answer, We are with all due respect

My Lords

Your Lordships

Most humble and

Most obedt Servants

Jn° Thrale

19 April 1703. John Mercer

Queen's Letter prohibiting Presents to Governors of Plantations.

[New-York Entries, E. 468.]

Anne R

Right Trusty and welbeloved we greet you well, Whereas several inconveniences have arisen to our Government in the Plantations by Gifts and Presents made to our Governours by the General Assemblies, We have thought fit hereby to signify our Express Will and Pleasure, That neither you our Governour nor any Governour, Lieutenant Governour Commander in Cheif or President of the Council of our Province of New York for the time being, do give your or their consent to the passing any law or Act for any Gift or Present to be made to you or them by the Assembly And that neither you nor they do receive any Gift or Present from the Assembly or others on any account or in any manner whatsoever, upon pain of our highest displeasure and of being recalled from that Our Government

And whereas the Salary of Six hundred pounds Sterling pr ann: assigned for the Governour in Cheif, Out of our Revenue arising there, may not be sufficient for his support, We are hereby graciously pleased to direct that Six hundred pounds Sterling pr ann: more be added out of our said Revenue, to your present Salary and to the Salary of the Governour of our said Province for the time being

And whereas by this increase of Salary the Generall Assembly of New York will have an opportunity and be in a condition of applying those sums which they usually gave in presents to the Governours or Lieutenant Governours by temporary levies towards such other publick uses as may be most necessary for the defence and safety of the said Province, We do not

doubt [but] that in consideration of Our care in exempting our good subjects from this customary burden of presents, The said Assembly may be the more easily induced to contribute in a more ample and effectual manner to their own safety and preservation

And we do further direct and require that this declaration of our Royall Will and Pleasure be communicated to the Assembly at their first meeting after your receipt hereof, and entred in the Registers of our Council and Assembly, that all persons whom it may concern may Govern themselves accordingly. So we bid you farewell. Given at Our Court at S^{t} James's the 29 day of April 1703 In the second year of Our Reign

By Her Majesty's Command

20 April 1703 NOTTINGHAM

Lords of Trade to Lord Cornbury.

[New-York Entries, E. 476.]

To the R^{t} Hon^{ble} the Lord Cornbury

My Lord

We send your Lordship here inclosed a Duplicate of our last date the 7 instant, Since which we have not received any from you.

We have been directed to prepare the Letters for her Majesty's Royal Signature which are to be writ to several Plantations relating to the Quota to be furnished by them for the Assistance of New York which will be transmitted to your Lordship by the next conveyance.

We are expecting from your Lordship an answer upon our directions for your examining the several Acts of Assembly the Titles whereof were transmitted to your Lordship by us the 26 of January last, that we may thereby be fully enabled to determine our opinion to her Majesty upon those Acts.

You will observe that some of them require a very particular Answer Viz^{t} As to the Act for preventing vexatious Suits and settling and quieting the minds of her Majesty's peaceable Subjects &^{c}. your Lordship will please to inform us what cases there are which may deserve Redress, and how circumstantiated, and what suits are commenced in New York upon any cases whereunto this Act relates, Since the passing of the repealing Act in November 1702. And in relation to the Act for vacating breaking and annulling several extravagant Grants made by Côll Fletcher &^{c}, We desire to have the particular opinion of your Lordship and the Council upon each of the several Grants thereby intended to be vacated.

You receive here inclosed her Majesty's letters for augmenting your Lordships Salary in New York, and for settling a Salary in New Jersey, As likewise for prohibiting presents to be made to Governours of Plantations by Assemblies; Which regulation against presents has been signifyed in like manner to the Governours of all her Majestys Plantations, and is to be observed.

We doubt not but your Lordship will have a particular regard to the letters relating to the Administration of Justice &c in both your Governments which you will also find here inclosed and return us an Accounts of that matter accordingly. We are

My Lord

Your Lordships

Most humble Servants

WEYMOUTH
ROB: CECILL
PH: MEADOWS
Wm BLATHWAYT
JNo POLLEXFEN
MAT: PRIOR

Whitehall
April the 29. 1703

Petition of the Countess of Bellomont to the Lords of Trade.

[New-York Papers, V. W. X. W 10.]

To the Right Honble the Lords Commissioners for Trade and Plantations

The humble petition of Katherine Countess of Bellomont.

Sheweth:—

That your Petitioner did some time agoe lay before Her Maty that she had been oblig'd before she could return for England to give ten thousand pound security for her appearance at New York the sixth of April last, on acct of money pretended to be due from her late husband to the four Companys there, tho' she was ready, whenever Her Maty should order her accounts to be taken, to make appear that there was nothing due, and therefore she pray'd that her said security might be discharg'd; as by her petition referr'd by Her Maty to your Lordps may more fully appear.

That your Lordships upon such referrence were pleas'd to represent that all prosecution against your petitioner's said security might be suspended for six moneths from the sixth of the aforesaid moneth; which Her Maty thereupon was graciously pleased to order.

That your Lordships to forward the dispatch of your Petitioner's accounts have sent over to the Lord Cornbury copys of them and of all her vouchers for his Lordship's examination, and your Petitioner according to your Lordships' directions has been ever since and is yet ready to state her accompts with the present Agent of the Province, the officers here, & their Accountant; but they, after some progress therein have neglected for some months to meet upon the same, tho' often press'd thereto by the persons acting for your Petitioner soe that her accompts as yet continue unsetled without any default in her, to the great prejudice of her own affairs.

That it is thereby become impossible that her sd accompts should be adjusted and notice thereof arrive at New York before Her Majestys said gracious order be expired, whereby her said security will be inevitably ruined unless further immediate care be taken therein.

Your Petitioner therefore hopes that your Lordships will be pleased to represent the same soe to her Maty as that yor Petitionrs said security may not suffer and that such Order may be taken for the speedy passing of your Petitioners accompts as shall be thought most fitting.

And yor Petitionr shall ever pray &c

Recd
Read } May 21. 1703.

Captain Nanfan to the Lords of Trade.

[New-York Entries, F. 802.]

To the Right Honourable the Lords Commissioners for Trade and Plantations—

My Lords.

I did myself the honour in October last by Her Majesty's ship Advice to convey a letter to your Lordships, wherein I humbly set forth my hardships, and as humbly prayed redress, intirely relying on your Lordships Justice, as I do yet and shall ever; but what I then intimated to your Lordships is now come to pass. Although often I have given my accounts, and the several wayes I have been directed, yet I cannot be able as yet to bring them to an adjustment. The fault is not mine, I humbly conceive; nor in truth I am able to give his Lordship further Accounts, than copies of them his Lordship already has.

My business, My Lords, is to be dispatched to my affaires in Barbadoes, for His Lord^{p} here has stopt my pay, and without any reason assigned or dismiss shewn me from Her Majesty, only telling one Capt^{n} Matthews has my company, and that his Lordship has a copy of his Commission from himself tho' never produced to me. Fifteen years My Lords I have served in the Army, but never saw a president of this kind. My Lords, this is not the greatest of my misfortunes; for, besides my often being debarred my liberty in going to Barbadoes, by forcing one vessel which carryed my Wife child and servants, to give £5,000 security that they should take none off without tickets, which I could not procure. My Lords, a president of this never was in any American port or the Islands. But to conclude, because I will not much longer trouble your Lord^{ps}, My Lord Cornbury well knowing himself, or Agent, have received the publick moneys for the Souldiers. Since M^{r} Champante was discharged 25 Dec^{r} 1701. yet has suffered me to be arrested in more than £1200 actions for the protested bills drawn since that time and truely applyed to the use of the Soldiers as I can make appear; And now, My Lords, its nine dayes since I have laine in confinement, nor can I get any surety, nor will His Lord^{p} accept my own bond, tho' in a respectful letter I offered it. I must needs, My Lords, think I looke not unlike a designed sacrifice where my bread is first taken away and then my liberty. I shall pray M^{r} Champante, by way of memorial, to give your Lord^{ps} a light of my hardships, which when your Lord^{pps} please to consider, I shall not doubt of Justice and relief.

My Lords, if I have been any way misrepresented for my Administration, I most humbly pray your Lord^{ps} will please to do me that honour to procure Her Majesty's citation to answer for myself, and not that I lye and suffer here in confinement to my infinite prejudice a prisoner, not at large but close, at the Bene placito of Mylord Cornbury, whose agents, I presume your Lord^{ps} are not unacquainted, have received the Soldiers subsistence since the 25th December 1701. which money I now lye under confinement for, his Lord^{ps} authority protecting him from the arrests—

I most humbly pray your Lord^{ps} that should I in any particular appear too warm in expression, Your Lord^{ps} will please to impute it to the difficulties I labour under innocently, and for me who was ever as free as an English-born subject could ever hope for, never in confinement till now, to become a prisoner without ingagement for debts owing by others, I most humbly submit to your Lord^{ps} great wisdome and am with great regard

My Lords

Your Lord^{ps} most faithful

humble servant

New Yorke
27. May 1703.

(signed). JOHN NANFAN.

Lord Cornbury to the Lords of Trade.

[New-York Entries, F. 306]

To the Right Hon^ble^ the Lords Commissioners for Trade and Plantations.

My Lords,

On the 3^rd^ of April last I received a Packet from your Lordships, with several Proclamations inclosed, directing a publick day of thanksgiving to be observed in England, upon occasion of the great and glorious success of Her Majesty's Armes, and your directions for observing a day of publick Thanksgivings here in this province and New Jersey. In pursuance of your Lordship's commands, I issued a proclam^tn^ directing the 15^th^ day of April to be observed throughout this province, which was strictly observed. I likewise wrote to some of the Gentlemen of New Jersey, who have acted as Justices of peace in the time of the proprietary Govern^t^, to take care that a day of thanksgiving should be observed in that province; but I did not think it proper to issue a Proclamation there, because my Commiss^n^ for that Govern^t^ is not yet come, and I was doubtful whether that people (who are prone enough to throw of all Govern^t^) would obey such a Proclamation, knowing that I have not yet received my Commission. It would be very well, if it were come, for at this time they are under no manner of Govern^t^, which is a great mischief to this Province, as well as to that; for if any servant here is dissatisfyed, or any Soldier has a mind to desert, it is but crossing Hudson's River and they are safe. On the 4^th^ of April I received, by the way of Barbados, another packet from your Lordships containing the same directions as the former which came by the way of Boston. On the 7^th^ of this instant May I received two letters from Your Lordships dated the 26 January last with several papers inclosed. I have directed the Acts of Assembly which Her Majesty has been pleased to disallow to be taken out of the Secretary's Office, and to be destroyed. The other Acts, of which you are pleased to send me a list, I will by the next ship, which will saile in about ten days, give your Lordship an account of them. I perceive by your second letter of the 26^th^ that Her Majesty has been pleased to confirm what I had done here relating to Atwood, Weaver and the rest of those I had dismissed from the Council of this province. I humbly thank your Lordships for your favour in those matters. I will endevour by my behaviour here to deserve the continuation of your protection. I intreat you to believe that I will continue my utmost endevours to reconcile the differences that still remain, in some measure, among the People of this province, tho' nothing near so much as formerly. Atwood and Weaver still continue writing to the People that are called here the Black party, and incourage them to continue in the same obstinate ways they left them in; but I hope in a little time their eyes will be opened. I perceive by your Lordship's letter of the 22^nd^ of Febr: that you are informed of divers severe prosecutions in New Yorke, upon occassion of the late Govern^t^ and former Resentments. I can not enough admire the confidence of those people who dare offer such falsehoods to your Lordships, for I do positively affirm that there has not yet been any one proceeding in any court whatsoever against any person upon occasion of the late Govern^t^ and former resentments by the Government. I think Coll: Bayard has brought his action against some of his Jury. I do assure you, I shall always punctually observe whatever you shall think fit to enjoyn me, and I shall always use my utmost care and diligence towards the quieting the minds of the people. The General Assembly of this Province is now sitting. I hope by the next ship to be able to give your Lordships a good account of their proceedings.

I take leave to acquaint you that I have lately had a visit from Coll: Nicholson Governor of Virginia. I find that Gentleman extreamly zealous for the Queen's service. He perfectly understands this vast continent; I do not doubt but he will give Your Lordships very good information of all matters relating to these parts. He has promised to come hither again when the great heats are over, at which time Coll: Dudley will be here. At which time we do intend to consider of all such things as may be proper to lay before your Lordships for the welfare of these Colonies, and for the making them more useful to England. And really there will be many things worthy your Lordship's consideration, and particularly with respect to the Charter Governments. I think it my duty to acquaint you that Coll: Hamilton is dead, and Mr Penn's Council have taken upon them the Govern[t] I have some letters from Philadelphia which inform me that they have lately held Courts of Judicature there, in which they have condemned people to death by Judges that are Quakers, and by a Jury of Quakers, and neither Judges nor Jury under any oath. These proceedings have very much startled the Gentlemen of the Church of England in Pennsylvania. I thought it my duty to acquaint your Lordships with these things and remain

My Lords

Your Lordships most

New Yorke faithful humble servant

May the 29th 1703. (signed). Cornbury.

Colonel Robert Quary to the Lords of Trade.

[Harleian MSS. (Mus. Brit.), 6278, No. 1.]

Right Hono[ble]

[The State of Pennsylvania.] I received your Lordshipps letter of y[e] 25th of Feb[y], with Her Majesty's Order in Council relating to the Courts of Judicature in this Province, and the three lower Counties, which I do assure your Lordshipps came very seasonably to quiet the minds of the People, which were in perfect ferment, occasioned by the proceedings of the last sessions held the 10th of Aprill.

Courts of Judicature in Penna In my last, I gave your Lordshipps an account that the Gaol of this place was thronged with murderers & felons, and that Governor Hamilton had given a special Commission to two Gentlemen to try and make a Gaol Delivery: But the Jury summoned would not serve in matters of so high a nature as the lives of the Queen's subjects, since Mr Hamilton was not qualified as the Law directs, not having Her Majestie's approbation, so that Commission fell; and in few days after the sessions came on there was a strong debate upon the bench about trying of those murderers & felons, some were cautious, & proposed to have them tryed by Judges Jury & Evidences sworn and qualified according to Law. But the major part carry'd it for trying them without any oath, or so much as the affirmation to be taken, either by Judges Jury or Evidences, and accordingly they proceeded. At first the people could not beleive that they were in Earnest, But to their great astonishment they found them as good as their words.

Several of the Judges left the bench and refused to act with 'em, and so did Mr Penn's Attorney General; However they quickly appointed another Attorney and proceeded. One person was found guilty of murder, whom they condemned to be hanged, and pronounced the sentence of Death; others ye Jury found only guilty of Manslaughter, who were immediately burnt in ye hand, and put to their Clergy by the court, all Quakers and others for Rape and less crimes discharged.

As soon as they had ended their sessions they dispatcht away a messenger to Colonel Hamilton to sign the warrant of Execution, but he lay very sick then in East Jersey and in two days after dyed, being ye 26th of Aprill,[1] so [that] ye murderer hath by that means as yet 'scaped hanging. I cannot sufficiently express the great consternation that possest the spirits of people on this occasion, Every one made it their own case, and thought themselves not secure of their lives, under this Quaker government, if they must be tryd by Judges Jury and Evidence which are under no tye or obligation of an oath, or so much as an affirmation according to Law; so that when your Lordshipps letter came with the Queen's order in Council, they could not forbear public rejoicing.

The Queen's letter presented.

And now my Lords, give me leave to acquaint you that in obedience to your commands I attended on the President and Council and shewed them Her Majesty's Order, which was read; after which they were pleased to say that they would readily comply with the Queen's orders in what lay in their power and not contrary to their Consciences. I thought this too general an answer and prest them to give a more positive one, which they have promised to do in fifteen day's time.

I quickly found that they would evade that order by finding persons fit for their purpose that would either take the oaths or the affirmation; But then they conclude that neither the Jury nor the Evidence are obliged to take either by the Queen's order. But we hope that your Lordshipps will be pleased to get a further explanation of Her Majesty's order, so as to secure Her Majesty's subjects from that greatest evil, and yt in Criminal matters they may not be concerned on their affirmation, since the Law excepts them.

It seems very strange to me that this Government should venture to act at this extravagant rate, when they know very well that there are Complaints against them before your Lordshipps for presuming formerly to try, condemn, & execute the Queen's subjects, without either the Judges Jury, or evidences being sworn. But they think Mr Penn's interest so great with Her Majesty and Ministers of State, that they may venture to doe any thing, and [indeed] many beleive them, seeing he hath interest enough to gain any point. The death of Colonel Hamilton will alter all his measures here, and gives us hopes that all things will be now settled on a sure foundation.

Having perused the two Deeds granted to Mr Pen, by King James, when Duke of York, for the three lower Counties, and finding that no powers of Government is conveyed by them, and that no Commission was granted to him from the Crown to exercise the powers of Government, I could not imagine what colour or pretence he had for assuming all the power of Regal Government. At last by the Assistance of one of his officers in searching the Records of this Province he [I] found the law or act of Assembly made here, which is the foundation of all his

[1] Mr. Whitehead states in his *East Jersey under the Proprietors*, 156, that this event occurred in January, 1709, and gives Proud, *Hist. of Pennsylvania* I., 454, as his authority. Relying on Mr. W.'s accuracy, we copied his date, ante, p. 200, (note,) which is now found to be erroneous. Proud says Col. Hamilton died in the 12th month (February) 1702 (O. S.) Col. Quary, 26th April, 1703. Gov. Hamilton's will bears date 26th Feb., 170$\frac{2}{3}$, and was proved November, 1704. The reader is therefore requested to correct the error, at p. 200, accordingly.—Ed.

pretences, I have here inclosed sent [you] a Copy of it, by which your Lordshipps will see that he hath no power but what he hath been pleased to give himself.

I have inquired into the circumstances of passing that Act, and have this account from some of the persons who were members of that Assembly, who say, that at Mr Pen's first coming over into these parts, he did not in ye least pretend to the Government of the lower Counties. But after some considerable time he imployed his Agents about the Country to persuade the People to petition him that they might be united to his Province, and under one Government with them. They were told what a great advantage it would be to them, which induced them to comply. So that in case the People have power to make Mr Pen Governor, or he to make himself one, he is duly qualified; But if that cannot be, and is ridiculous to suppose, then I affirme he hath no pretence nor the least right to the Government of the three lower Counties; and yet for him still to assume and exercise all power of Government and to dispute his right of Government with Her Majesty, astonishes us all.

Commission opened after Col. Hamilton's death.

After the death of Colonel Hamilton they opened a Commission which Mr Pen left at his going hence, in the hands of the Secretary, by which he appoynted that in case of Col. Hamilton's death, the administration of the Government of Pennsylvania should be in the Council, but whether by design or mistake, he hath made no provision for the Government of the three lower counties. His friends give out that it was by mistake, but others are of another opinion, for when he went hence he had no hopes of continuing the Government, and therefore was resolved to leave the three lower Counties in confusion. I doe most humbly propose that your Honours will please to take some speedy course for settling that country, In the meane time that Her Majesty's letter may be sent to preserve Peace, and keep the Country in Order. The encouragement of the three lower Counties will be of ten times the advantage to Her Majesty in Her revenue, than the province of Pensylvania, for all the Tobacco that is shipped out of this Bay is produced out of those three Countys, the trade of which will increase dayly if encouraged.

[The Three Lower Counties valuable to the Crown.]

One standard of Coyns beneficial to trade and Her Majesty's Provinces

I thought myself obliged to acquaint your Lordshipps that nothing could tend more to the increase of Trade, [and] the prosperity and good of these parts of the world, than what your Lordshipps have proposed, the reducing all the Coyn of America to one standard. And it will in the first place have this effect — to prevent the Carrying the money in specie out of Her Majesty's Governments of Virginia and Maryland into the Propriety Colonies, it will make most of the money center in England, for those Provinces that do not produce such Commoditys as are fit to be shipt to England must be forced to send the pieces of Eight in Specie, to make returns for the goods they receive from thence, which they are forced to do sometimes now, though the difference of exchange is in some places thirty, forty, and in Pensylvania fifty per cent worse than Sterling. It will make trade easy, give a general satisfaction to all sorts of people, and prevent the labourers and tradesmen from quitting the Queen's Government to go and settle in the Propriety Governments, on the bare name of great wages when in reality it is but a mear cheat. However this noyse and gingle carries abundance of people from Her Majesty's Plantations where their labour doth vastly augment her Majestys revenue in the improvement of those Commoditys that pay a considerable duty. Whereas all their labour and industry in this and the rest of the Propriety Governments is of no advantage to the Crown.*

*(Here follows an account of *West India* affairs &c which is omitted — J. R. B.) The matter omitted is supplied on the next two pages from the copy of Col. Quary's letter in 3 *Massachusetts Historical Collections*, VII., 226–229; and is embraced, as well as other additions from that copy, within brackets. —Ed.

[Account of the Disorders in Carolina. I received Letters this week from South Carolina, which give me a very strange account of the great disorders which have happened in that Government, since their unfortunate disappontment and miscarriage against St. Augustine. The charge of this Expedition, hath fallen very heavy upon the Country, and the ways and means for raising the money hath left them all together by the Ears. I will not trouble your Lordshipps with particulars, since you will have it at large from both Parties.

Method of reducing St. Augustine: Advantages of it. The Warr is continued very briskly, by the Indians which are under the English Government, and those under the Spaniards. Our Indians have in several Battles killed a great number of them, above 500 of them in one battle, besides Spaniards that were amongst them: They have also burnt many of their Towns, and destroyed almost all their corn, and provisions; so that, unless St. Augustine be supplied from the Havana, they cannot subsist long. Considering the condition of that place, it may be reduced with ease, and very little charge to her Majesty. I propose that one or two Men of Warr, in their way home from Jamaica, may as they come through the Gulf, stop at St. Augustine with a Bomb Ketch. Timely notice must be given to the Government of Carolina, that they may goe with their fforces by the Inland Passage, which they will undertake very readily, being fully satisfyed of the necessity of taking that place; else they must expect nothing but ruine.

I have sufficiently layed before your Lordshipps, the advantage of reducing this place, not only in reference to Carolina, but to all Her Majesty's Governments on the Maine. It will put a stop to the French designs who are endeavouring from Canada, to secure the Inland parts of the whole Maine.

I have formerly shewn the ways and means they make use of, to effect this great design, but by our securing the Southern Parts, we shall prevent them, and break all their measures by securing the Indians to the Interest of England, which will be easily effected, since they must depend upon us for the supply of Indian Trade.

Port Royal preferable to St. Augustine. St. Augustine being reduced, Her Majesty may then either make that the seat of Government, or demolish it and settle Port Royal, which is on all accounts a far better place, in respect to its situation, goodness of land, but above all, it hath the advantage of a very good River. I can now assure your Lordshipps, that a very ingenious man and good artist, hath lately surveyed all that Coast and harbour, and found not less than four fathoms at low water, and it flows about six foot, which is water enough for a ffourth rate ship. I have formerly layed before your Lordshipps, the great advantage it will be to Her Majesty in settling this place which I refer to.

Reasons of the disorder in Carolina. And to proceed to give the reasons of the present distractions and confusions in South Carolina.

The ffirst step was the great irregularity in the late Governour's venire in the Election of Assembly, in which were forcibly returned several persons, being chosen by persons not qualified, as negroes, aliens, seamen, and members of the Upper House, and all this to serve a turn. And amongst other designs, the main was for drawing out the Country into Arms, to attaque St. Augustines, when at the same time, they had neither Man of War, Bomb Ketch, nor Guns fit to to make a breach; so that the designe was contrary to all reason and sense. However, the Governor was resolved to prosecute the undertaking, though by so doing, he ran the hazard of ruining the whole Country, which will certainly be the consequence, unless your Lordshipps will please to prevail with Her Majesty, to assist in reducing that Place.

After the defeat of this ill-managed Design, the next thing that lay before the Assembly, was to consider how to pay the Debt contracted on this Occasion, which amounted to no less than 8000 pounds. Those Gentlemen that were against carrying on the Warr, under all these unreasonable circumstances, were, however willing to pay the Debts, provided they might have those late abuses in the Election of the Assembly, and other grievances remedied. But the Governour refused these good offers, which forced more than half of the Assembly to withdraw, and enter their Protest: on which followed a great Ryot for many days. They broke open several Gentlemen's Houses, assaulted, beat and abused several Gentlemen of the best quality in the Country. Complaynt being made to the Governour, he refused to do them Justice, nor could they have Justice in the Court, upon an Indictment brought against the Ryoters. These confusions in the Country forced Sir Nathaniel Johnson to publish his Commission, which till then he had not. The abused complain to him, but he tells them it is now too late, but he would take care for the future, no such actions should be allowed. So for want of Justice, those Gentlemen that were abused and injured, resolved to send persons home, to complain and represent their case to your Lordshipps for redress. I will not take up more of your Lordshipps time on this subject, but refer you for particulars, to those Gentlemen that are gone home on purpose to attend on your Lordshipps about this business.]

The state of New England

I thought myself obliged to make some few remarks upon the Government of New England, In the first place, I beleive it will be impossible for any Governor to serve the interest of the Crown under the present constitution of that Government, for as long as they have the choice of the Councill the Judges, Sheriffs, consequently the Juries, and all the other Officers, they have nothing to hope for or fear from the Queen's Governor. I cannot see what advantage it is to Her Majesty to have only the appointing of the Governor and Secretary, It gives them a colour of opposing the commands of the Crown, and carrying on their own interest, without running any hazard. Whereas were the choice wholly in them it would put them upon their guard — make them very cautious what they did, and very ready to comply with the Commands of the Crown for fear they should forfeit and loose all. But now they have secured all they would have, and in case of any wrong measure, misfortunes or ill conduct in Government they will find pretences enough to lay all on Her Majesty's Governor, so that they think themselves in far better circumstances now than ever.

Influence N. E. hath on ye other Governments.

Besides, the present constitution of this Government hath a great influence on all Her Majesty's Governments in America in most of which I can assure your Lordshipps that Commonwealth notion and principle is too much improved within these few years. The people are uneasy that Her Majesty's subjects in New England and the Propriety Governments should enjoy more Priviledges & benefitts in Government and Trade than they do. This puts them upon enquiry, projects and trials of skill with their severall Governors in hopes to gain the same priviledges, which else they never would have thought on; This growing evil requires speedy applycation, and with humble submission to your Lordshipps, nothing will so effectually answer the End as reducing all the Provinces on the Maine of America to one standard, rule, and Constitution of Government, as near as circumstances will admitt, and also to one standard of Coyn. The effecting of both is, and hath been for some time under your Lordshipps consideration; I hope quickly to see it put in practice; It will make all Her Majesty's Governments easy, satisfyed and happy, and will tend to your Lordshipp's Eternal honour, in being the Instruments of so much good to all Her Majesty's Provinces.

Col. Dudley can prevail in nothing.

Colonel Dudley hath been forced already to dissolve two Assemblys — nor will the third anyways answer his expectation, they being resolved to choose the very same men. He hath shown himself very active in his endeavors to secure the frontiers of that Government, but he cannot make brick without straw; They are resolved to oppose him though he hath studied in all things to oblige and please them, yet he finds that all his parts, ingenuity and long experience of the people cannot stem the current of their old prejudice against him. They say that he hath given several instances of his remembering the old quarrel, and they resolve on their parts never to forget it, so y^{t} its generally beleived he will never be able to gain any poynt from them. They do not stick to say that a stranger, cold prevail ten times more with them, which shews the temper and uncharitableness of those people.

A Governor depending on the People's humours for subsistence cannot serve the Crown.

Besides I cannot see how it is possible for any Governor to serve the interest of the Crown that must depend upon the precarious humours of the people for a subsistence. They will never part with their money unless they have an equivalent or something more valuable. It lays the Governor under the temptation of making sometimes a very disadvantageous bargain for the Crown, and stooping below the dignity of his character. A Governor ought to have his support as well as dependence immediately from the Crown, though at the same time the fund ought to come from the People, but by such ways and means as ought first to settle it in the Crown. I doe most humbly begg your Lordshipps' pardon for this freedom.

Col Nicholson was at N. York.

Col. Nicholson was lately here in order to consult His Excellency my Lord Cornbury about some matters relating to Her Majesty's service. There is a very good correspondency betwixt those two Governors, which will be attended with very good effects.

[The Queen's Governours to meet once a year]

Your Lordshipps directions for a meeting once a year of all the Queens Governors on the main, would be of very great service upon severall accounts and more especially in order to the removing all scruples and objections which may be raised against that generall good of bringing all the Governments under one systeme form and Constitution.

And now that I have had occasion to speak of that worthy Gentleman Col Nicholson, give me leave to make some few short remarks on him and the Government of Virginia.

When he found that the Assembly were not willing to pay their Quota for the support of Albany, he being ordered not to press the business too far, was resolved however that Her Majesty's interest should not suffer, though the Assembly would not understand their own.

The necessity of supporting Albany.

Yet no man knew better than he, who by long experience could judge, that the support of Albany is the only security that all the Governments on the Mayn have against the French and all the Indians in their interest. He very well knows that if Albany be not effectually supported, we must loose the five nations that are now in our interest, and are the only barrier against the French and all those great Nations of Indians in their interest. By the neglect of Albany we shall not only loose so many sure friends but shall add so many great and warlike nations to the number of our Enemies; and then I am sure it will be in the power of the French in conjunction with all those nations to be masters of all Her Majesty's Provinces on the Mayn when they please. This is a truth which I am sure your Lordshipps know very well, and if you please to lay your commands on me I will demonstrate it with such reasonable and convincing arguments as will leave but little or no room for objections. All which Governor Nicholson knows so well that as soon as he found that the Assembly would not see their own interest or comply with her Majesty's Orders, he went

immediately to New York, and out of greate zeale to Her Majestys service and security of her Provinces, he gave his own bills for Nine Hundred Pounds Sterling, to answer the Quota of Virginia, wholly depending on Her Majesty's favour & Justice in reimbursing him again out of her revenue in that Province, which by his prudent conduct he hath retrieved, from being left considerably in debt, to more than ten Thousand Pounds in Bank, all public building and debts being paid.[1]

Your Lordshipps do so very well know that gentleman, that it is needless to say any more of him at present, but will proceed to say something of y^e^ present state of Virginia.

The State of Virginia.

The People are very numerous—dispersed through the whole province—Their almost sole business is planting and improving Tobacco, even to that degree that most of them scarce allow themselves time to produce their necessary provision, and consequently take little leisure to busy themselves about matters of State. They have alwayes been respectful and obedient to Government—This in the general.

But in every river of this province there are men in number from ten to thirty, who by trade and industry have gotten very competent estates. These gentlemen take care to supply the poorer sort with goods and necessaries, and are sure to keep them always in their debt, and consequently dependant on them. Out of this number are chosen Her Majestys Council, the Assembly the Justices and Officers of the Government. Many of these gentlemen have of late applied themselves in procuring from their Governors good laws for the better government and improvement of the Country, a thing very commendable had they not been often mistaken in their notions and means of pursuing this end, which they truly are. They consider that this Province is of far greater advantage to Her Majesty than all the rest of the provinces of the Mayn, and therefore they falsely conclude that they ought to have greater privileges than the rest of Her Majesty's Subjects. This put them upon a nice enquiry into the circumstances of the Government, and finding that New England, and the Propriety Colonies are allowed greater Priviledges, both in respect of their Constitution of Government and Trade, this makes 'em very uneasy and sowers their temper to that degree that it is very difficult for any Governor to please them and pursue the Queen's Instructions.

The Assembly they conclude themselves entitled to all the rights and privileges of an English Parliament, and begin to search into the Records of that Honorable house for precedents to govern themselves by—The Council have vanity enough to think that they almost stand upon equal terms with the Right Honorable The House of Lords. These false pernicious notions, if not timely prevented will have a very ill consequence. His Excellency Governor Nicholson by his prudent conduct hath hitherto put a stop to this growing evil, in all parts of the government except a few factious Spirits in the Council.

Your Lordshipps may see by the Council's last address to Her Majesty, some of the leaven of these notions. They are pleased to justify their former reasons for not obeying the order for paying their quota towards the support of Albany. This they seem to do in opposition to your Lordshipps judgment in that case, nor do they in that address treate your Lordshipps with that due respect, which in duty they ought. But when I consider two of the gentlemen that had a hand in drawing it up, I see no reason to expect better from them. I am not a stranger to that secret wheel that gives motion to all these mischievous designs which are fomented in that Government. I am not willing to give particular characters without your Lordshipps

[1] Compare the comments on this representation in Beverly's *History and Present State of Virginia*, part I., 104; and the observation on Beverly's statement in Oldmixon's *British Empire in America*, Ed. 1708, I., 270. — Ed.

directions; but I assure your Lordshipps that the mischief lies in a very narrow compass and may easily be removed and prevented by removing two or three, at most, out of the Council who are men of uneasy Spirits and have made it their business to oppose Government. I have much more to say on this subject, but for fear of trespassing on your Lordshipps will refer to another opportunity. And now that I have laid before your Lordshipps briefly this growing evil, I am very well assured that your Lordshipps will apply the proper remedy. I may say that now or never is the time to maintain and support the Queen's just PREROGATIVE, and put a stop to those wrong pernicious notions which are improving daily not only in Virginia, but in all Her Majestys other Governments. A frown from Her Majesty, now, can do more than perhaps an Army hereafter. I cannot recommend a more effectual means than what I formerly mentioned, the reducing all Her Majestys Governments on the mayn under one Constitution of Government as near as possible.

The State of New York.

New York. I did in my former memorial give your Lordshipps a short relation of the miserable, distracted and unhappy circumstances which the Province of New York was reduced to, during the Government of my Lord Bellomont and those that succeeded him, until the arrival of His Excellency the Lord Cornbury. I did also lay before your Lordshipps the happy change of affairs in relation to all the parts of Government, but could not be so particular as that subject required.

I have since made it my business to inform myself more exactly and nicely into all the circumstances of this Government, which I hold myself obliged faithfully to represent to your Lordshipps under these several heads—the state of the REVENUE. The MILITIA ARMS and AMMUNITION, the FORTIFICATIONS both for the defence of the Town, and for Albany, and the inland parts, against the French—the State of the Government in relation to the INDIANS, TRADE, LAWS, temper of the PEOPLE, and lastly, in relation to the NEIGHBOURING GOVERNMENTS.

The state of the Revenue of New York. As touching the Revenue; when my Lord Bellomont received the Government from Colonel Fletcher, there was no more debt due than the arrears of the Revenue, and other taxes would fully answer. But when His Exc^{y} My Lord Cornbury entered upon the Government, he found it at least ten Thousand pound in debt, and yet no new fortifications built, nor the soldiers to be payd out of the Revenue, nor is it easy to guess how all this could be in so short a time. My Lord hath taken much pains to find out the true state of the Revenue, and how all those debts came to be contracted, But M^{r} Weaver carrying away the Books makes it very difficult to be done. The ill management of the Revenue in my Lord Bellomont's time hath quite ruined the credit of the Government.

I am very well assured that it is [quite] impossible for this country to discharge the debt, and without it be done, the Country must be very miserable.

The constant charge of supporting and defending this Government is very great, and the whole weight of it lyes on a small Country. I am sure it is impossible for them to bear it especially in War time. I do therefore most humbly propose that Her Majesty be graciously pleased to discharge the present debts of this Country, and that some effectual means be found to oblige the other Governments on the main to pay their Quotas towards the support of Albany. There is an absolute necessity that those two points be effectually answered, nor will the case admit of much delay.

There is no depending on the neighboring Governments for supply, since neither their own safety nor the Queen's commands can oblige them to comply. Nothing will do but a short act

of Parliament in England, which I am sure will admit of very little debate when your Lordshipps doe lay before the Parliament. That the Security of Her Majesty's Empire on the Continent is concerned. That the People of the several Governments will not see their own danger or prevent it — That in reason and justice they are obliged — That what is required of them is very small and inconsiderable. Such an act would not only answer this end effectually, but would be of great advantage upon several Accounts. It would open the Peoples eyes to see their own interest, and make them more ready to comply with other of Her Majesty's just demands, and cure them of that sour temper which hath already possessed them in opposition to Government, for as I have already hinted to your Lordshipps, commonwealth notions improve daily and if it be not checked in time, the rights and privileges of English subjects will be thought by them too narrow.

State of ye Militia of New York.

My Lord Cornbury found the Militia of this Province under no regulations at all having neither arms nor ammunition as they ought, nor were they ever so much as drawn out to exercise or view them in all my Lord Bellomont's time, except the Regiment of foot at New York. His Excellency hath taken great pains in settling the Militia under good officers, but he cannot as yet supply the want of arms and ammunition. That must be done from England, and I hope with all speed possible. I am sure the safety of the Government requires it.

The standing forces of N. York.

The standing forces were at my Lord Cornbury's arrival under very ill circumstances — quite naked for want of clothes — not half of them had armes fit for service. Besides, the Queen's stores are but very ill furnished, so that in case of action I know not how they will be supplied. My Lord hath taken great care to have all the arms fixed and in a readiness, but without a supply he will be at a great loss.

The condition of the forts of New York.

The Forts & fortifications both in New York and Albany were left to my Lord in a miserable condition. The platforms rotten — many of the guns dismounted for want of carriage. My Lord Bellomont built a magazine over the gate of the fort which might now properly be called a Pigeon House. It cost Eight Hundred Pound — though a better could be built for two Hundred, But the building can no way answer the end, being exposed to the danger of lightening, and to the shot and bombs of an Enemy, and in blowing of it up, it would not only ruin the Fort, but great part of the City. His Excellency hath for a small charge built an extraordinary vault which will effectually secure the powder from those accidents, and hath already put the Fort into some order, and in a little time designs to compleat that work.

The condition of the Fort at Albany and out Forts.

The Fort at Albany and all the out Forts are quite ruined and decayed, being only stockadoed, which were all quite rotten, not fit for any defence. My Lord hath laid the foundation of a Stone fort at Albany, and hath carried it on a great way. It will be very regular and answer the end. I hope His Lordship will quickly finish it. It gives great satisfaction to our Indians, who lay the great stress of their security on the defence of those forts. No other consideration whatever can secure them to the English interest. Whenever they quit it, I am sure the remotest Province on the Main will find the fatal effects of their being our enemies. That, perhaps, will open their eyes to see their Ruine and danger, when too late, though now they will not prevent it, tho' they might on so very easy terms as their small quota. But I hope your Lordshipps will find a way to secure em, even against their will.

2 ways of securing N. Y. Province.

There are two ways of securing this Province — by Land, and by water — That by Land must be by having good forts at Albany and y^e^ out places, well

manned furnished and constantly supplyed, which my Lord resolves to do. I heartily wish His Lordship be not discouraged for want of money to carry on and complete so noble a design. His Excellency hath resolved on the best and only way of securing this place by water, which is by building two stone Batteries at the Narrows, betwixt Long Island and Staten Island, which is the channel where all ships must come, and is so narrow that those batteries will effectually command and secure this harbour. I have taken a full view of it, that I might the better represent it to your Lordshipps.

The trade of New York.

The trade of this place was formerly very considerable, beyond any of the neighbouring Provinces, but hath been extremely ruined and impaired ever since my Lord Bellomont came hither, even to that degree that it will be some years before they retrieve their former trade, which is a very great misfortune to this place which doth so wholly depend upon trade, and did enable them to support and maintain the great charge of the Government, which they find impossible for them to do, under their present circumstances. And now that they are the less able, the tax and charge in supporting the Government is far heavier on than ever, when at the same time their neighbors have all along enjoyed the freedom and advantage of trade, have no frontiers to defend, nor do they pay any taxes, and yet refuse to give them any help, which they think very hard, and makes them very uneasy.

I have been here some time during the sitting of the assembly, which gave me the Opportunity of seeing the temper of the People. They have a very great honour and veneration for His Excellency, which is the only reason that restrains their discontent and uneasiness. However, they could not forbeare to make some attempts and endeavours against the Queen's Prerogative. But my Lord quickly saw through their design, and by a prudent conduct put a stop to it.

The Assembly were for asserting rights which never any of their predecessors ever pretended to. My Lord gave such solid reason against their pretences that I believe it hath not only secured the point and quieted them for the present, but if I mistake not, will prevent all future attempts of that nature, especially during my Lord Cornburys Government. I cannot be so particular as the nature of this subject requires, for fear of swelling this Memorial. I will therefore chuse to give your Lordshipps a state of this business by itself. What this Assembly attempted proceeds from the same spirit that hath infected all the Governments on the main, though not as yet improved here to that degree as in other places.

My Lord hath used of all the proper ways and means to secure the Five Nations, which is a very nice point to manage, Besides a great charge in presents, they are very uncertain people to trust to, and do lye under very strong temptations from the French. It is a very hard case that the security of so many of Her Majestys Provinces and subjects should depend upon the uncertain humour of those Indians. But it is certainly so, nor is there any way to remedy it but one, which will not only put an end to this precarious dependence, but also ease the crown and subjects of this Province from the vast charge of maintaining forces, fortifications, and the constant bribing of the Indians, which amounts to a great constant yearly charge.

Taking of Canada, the only way to give peace to America.

This effectual way is that Her Majesty will resolve to drive the French out of Canada, which I assure your Lordshipps may be effected with great ease. It must cost the crown some treasure, but by effecting the design, Her Majesty will soon be reimburst the charge, by the trade of that place. Besides there will be saved the yearly charge of maintaining the frontiers, and will entirely secure the Empire of America in peace with the whole trade of the main, which will be of a vast consequence. And all this might be effected by two thousand regular forces, ten men of war, and two Bomb ketches. The effecting of this design is of that consequence that all the main would heartily join in it as

one man, I propose that the ships and regular forces should touch at Boston, and go directly from thence to Quebec in Canada, and that at the same time the forces of America should march by land from Albany with all the forces of Indians. The French are not three Thousand effective men in all that Country.

Nothing can be of so great consequence to Her Majesty as the effecting of this business, and nothing is wanting but that Her Majesty resolve on the design, and then I am sure that My Lord Cornbury and all the Governors on the Main will propose the ways and means of carrying on this design. I am sure it will be of far more advantage to the Crown than the taking Martinico. Guadulupa and all the French Islands, for Newfoundland and all the trade of that Coast will of course fall into the hands of the English, which is all I will venture to say on this head, but referr it to your Lordshipps better Judgment, and now proceed to tell your Lordshipps

The state of East and West N. Jersey

That the Jerseys have been for a long time in confusion, having no Government, which makes them all heartily wish my Lord Cornbury's Commission for that province were come, that so they might be settled on a sure foundation, which as yet they never have been. The contests of West Jersey have always been betwixt the Quakers and Her Majesty's subjects that are no Quakers.

The Quakers, though the far less in number have always been supported in the Government against the others over whom they have for many years insulted and tyrranized.

The contest in East Jersey is of a different nature, whether the Country shall be a Scotch Settlement or an English Settlement. The Scotch have had for many years the advantage of the English, by the advantage of a Scotch Governor, Colonel Hamilton. But it is the expectation of all that His Excellency My Lord Cornbury will reconcile all these differences—unite all interests settle 'em on a sure foundation—make 'em all easy and happy; they have all a very great opinion and honour for His Lordshipp, which is a good stepp to that great worke.

Considerable Quakers in Penna inclinable to Her Maties immediate Government.

I find that the most considerable men of the Quakers in Pennsylvania finding that M^r^ Pen cannot secure them in their Lawles power of Government are now very willing to be under Her Majesty's Governor, provided that My Lord Cornbury be appointed their Governor. They have a very great respect for him and say that [they] expect more justice from His Lordshipp than ever they have found from M^r^ Pen. All the rest of Her Majestys good subjects of that Government do heartilie joyn with them that His Excellency my Lord Cornbury may be the happy instrument of making us all easie and settling us on the same foundation with the rest of Her Majesty's Governments which is all that is wished or desired.

The State of Connecticut.

I did design to have given your Lordshipps the History of Connecticut, but on a nice enquiry into the state of that place I found that the roguery and villany of that Province both in relation to Government and Trade is enough to fill a Volume, which makes me not willing to venture upon it at present. If the Government be continued longer in these men's hands, the honest trade of these parts will be ruined, and My Lord Cornbury's Commission for commanding the Militia of that Country will be of no use.

Observations on the state of the Guard shipps in the Colonies.

I did propose to have shown to your Lordshipps at large, that the charge Her Majesty is at, in maintaining several men of war in some of the Governments here doth not in the least answer any one end proposed by it, and all by the temper and ill Conduct of these Captains that command Her Majesty's ships. I presume that

the main end of all this charge is intended for the security of the Province[s], to prevent illegal trade, and incourage honest trade, but nothing of this is in the least Answered. He that hath the Command of one of Her Majestys ships be they never so small, thinks himself above all Her Majestys Governors, and even above Government itself. They make it their business to oppose Authority, and when there is any faction in any place they are sure to joyn with them against the Governor. They will lye in a Harbour for a year together without once going out to cruize. By their ill usage of the men they force them to run away from the shipps, and then they ruin the merchants and trade of y^e^ place by pressing away seamen from the Vessells — And that instead of incouraging the honest trade they ruin it, and [as] for illegal traders they are safe enough from their search or inquiry after them. The complaints against the commanders of Her Majesty's ships is become general. I presume your Lordshipps will receive them from Virginia Maryland and New York. It would take a quire of paper to particularize the several rude, Barbarous, and extravagant actions of one Captain James Moody Commander of the Southampton Man of war. He neither spared the gentlemen of the Country the Queen's officers, Nor the Governor himself, because they would not suffer him to marry a gentleman's daughter, when at the same time he hath a wife and children in London. This was a sufficient ground for him to attempt the lives of the gentlewoman's father, several of her relations, and especially a very worthy gentleman, one Colonel Cary that courted the young Lady. The Governor was forced to secure the peace the Country being all in an uproar by this mans extravagant actions. The particulars your Lordshipps will have from the Governor & Council of Virginia; with a long charge against one Captain Bostwicke — from the President & Council of Maryland — That Gentleman's actions will render him fitter for Bedlam than the Queen's Ship.

His Excellency My Lord Cornbury I presume will give you the Character of one Capt. Rogers, who by the death of Captain Stapylton commands the Jersey man of war, who hath lyen here in Harbour ever since my Lord's arrival in this place. Her Majesty was pleased to direct His Lordship to order Captain Rogers to take several vessells loaden with provisions on her Majesty's account in Pensylvania and Carolina, and convoy them to Jamaica, which might have been ready before Christmas last. But in the fall, when My Lord Ordered him to get ready his ship, he pretended she was unrigged and layd up, and could not be ready till the Spring, but then would be ready by the eight and twentieth of March at furthest, Accordingly the ships and provisions were all in readiness, but notwithstanding my Lords repeated orders to him, he lay in the Harbour till the later end of May, all which time Her Majesty pay^d^ damage, and the provisions lay on board, which was great damage, and after he went to Philadelphia and took the vessels there under his charge, refused to obey my Lord's orders in touching at Carolina, to take those vessels with provisions under his Convoy; But this is not all the mischief he hath done, but by lying in Harbour so long in New York, and pressing the Men out of the Merchant's Ships, he hath ruined all this summer's trade of that place.

I cannot be more particular at present, These evills will never be remedy'd unless the Captains of the Queen's Ships are ordered to be more immediately under the respective Governors Commands.

Proposal about naval Stores.

I did propose to have layd before your Lordshipps the great advantage it would be to Her Majesty, if proper methods were taken to incourage y^e^ sowing of hemp and flax in these parts where there is a vast quantity of land very proper and fit for it. The people only want the security of a certain market. It would be the interest of the Crown to encourage them at least a few years till they are settled in that manufactory.

Her Majesty might be furnished from thence with Tar, Pitch, [Rozin] all sorts of timber and masts sufficient to supply all the navy, which would be a great advantage, and prevent the money from going out of England. But to represent this fully in all its particulars will require a distinct memorial which I resolve to present to your Lordshipps very suddenly.

I will not give your Lordshipps any further trouble at present, but to implore your Lordshipps pardon, and leave to subscribe myself, as I truly am,

Right Honble

Your Lordshipps'

N. Y.
June 16. 1703.

Most obedient servant
(signed) Robt Quary.

Lord Cornbury to the Lords of Trade.

[New-York Entries, B. F. 44.]

To the Right Honble the Lords Commissrs for trade and Plantations.

My Lords,

I think myself obliged always to give your Lordships an account of the condition of this province, both, with respect to its own circumstances and with respect to the neighbouring provinces by some of which we suffer very much.

And first as to the fortifications of this Province, I beg leave to refer you to my letter of the 24th of September last, in which your Lordpps will see the condition they were in at that time. Since that I have begun a stone fort at Albany, upon which I have laid out the remainder of the two hundred pounds which Mr Romer had received from Captn Nanfan, and I have provided materials to the value of £500 more current money of this province for which summe I had drawn a Bill upon the Treasury, according to the directions formerly sent to My Lord Bellomont (which bill is since come back protested) and I am now going this summer to lay out the 500£ sterling which I received of my Lady Bellomont, just before her departure from hence, and which had been sent to my Lord Bellomont by the late King to be applyed towards the building a Fort at Onondage; and that is all the money I have yet received towards the carrying on that necessary worke, and without which this province can never be safe, as long as the French are posesst of Canada—

I have by the advice of Her Majesty's Council of this Province, repaired, as well as possible the Stockaded Fort a Schonnectady, and built three new Stockaded forts, one at the Half-moon, another at Nestagione and another at Shachook, which is the chief habitation of the River Indians. These three last have cost almost 80£ this country money. There is another to be built at a Place called Saractoga, which is the Northernmost settlement we have. There are but few families there yet, and these will desert their habitations if they are not protected, and the charge will be but small, and will give great satisfaction to the Indians. Thus your Lordpps have an account of the fortifications on the northern frontiers of this Province.—I must now acquaint you that there is lately come to this place one Lawrence Hidding a Dutchman an Inhabitant of this City, who last year was taken by the French before the war was declared, on board a sloop belonging to this Port and going to the West Indies. This man makes oath that, being carried a prisoner into the Havannah,

he heard Mr D'Hiberville say that in his return home from Mischasippi he had been at New Yorke and had sounded all the parts of that port, and was able to carry any ship in without the help of a Pilot; that he had acquainted the King his Master, with it, and had undertaken to destroy this place if he might have four fourth rate Frigats and two Bomb ketches. I had proposed to the Assembly to consider of raising a sum sufficient for the erecting two Stone Batteries at a place called the narrows, where the sea is not quite a mile broad. No ship can come to this City without coming to that place, consequently that well defended, this port is safe. The Assembly were so sensible of this truth that they have passed an act for granting to Her Majesty the summe of £1500 toward erecting two Batteries at the Narrows. I had laid before them an estimate of the charge of the two Batteries which amounted to the summe of 2025£ current money of this province. I do believe that they would have been prevailed with to have given the whole sum desired, at once, had the province been in a condition to raise it; but really they are not. The money that is granted shall be laid out forthwith, to the uses for which it was given. I hope to get one of the Batteries up this summer.

I herewith send your Lordpps an inventory of such stores as we have remaining in the fort here, by which you will see in how ill a condition we are to undertake any thing against an Ennemy, I hope, by your representations, we shall be supplyed from England; for really, if any occasion should happen that may require the speedy arming two or three hundred men, it is impossible for us to do it.

I have sent directions to Mr Thrale to send us swords, for we have none. The militia is brought into some method; I have seen a Regiment of foot of this City and the Troop of horse, and have ordered the several Captaines to draw out the several companies to exercise, which they have done. The Militia of the County of Albany are in very good order. That of Ulster, begins to come into order again. That of Kings County and that of Queens County are beginning likewise to handle their Arms again. Suffolk County, Richmond County and West Chester County I have not yet seen, but intend, God willing, to see them all this summer, and then shall be able to give your Lordpps a full account of this province with relation to the Militia. I did intend to have sent you by this conveyance an account of the number of the inhabitants of this province, but the Sheriffs have been so backward in their duty that I have yet but five Counties, so I still want five Counties, but am promised I shall have them in four days time, so I shall send them to your Lordpps by another ship which will saile from hence in ten days for London. In the mean time I herewith send you a list of all the Officers of the Civil Governt and of the Militia of this Province.—

Now, My Lords, that I may rightly inform you of the misfortunes we labour under with relation to the neighbouring provinces, I must begin with Connecticut. And first I must observe the Coast of Connecticut is opposite to two thirds of Long Island by which means they fill all that part of the Island with European goods cheaper than our Merchants can. because ours pay duties and those of Connecticut pay none, nor will they be subject to the Laws of Trade nor to the acts of Navigation by which means there has for some time been no Trade between the City of New Yorke and the East-end of Long Island, from whence the greatest quantity of Whale oyle comes. And indeed the people of the East End of long Island are not very willing to be persuaded to believe that they belong to this province. They are full of the New England principles. They chose rather to trade with the people of Boston, Connecticut and Rhode Island, than with the people of New Yorke. I hope in a short time I shall bring them to a better temper, but in the mean time the Trade of this City suffers very much. Another very great inconveniency we labour under is with respect to our Soldiers, Seamen and servants, both white and Black. If a Soldier of the Garrison or a

Seaman from any of the Queen's ships of War has a mind to desert, it is but going into Connecticut and he is safe. If an Officer is sent after the deserter and finds him there, the first is protected and the Officer affronted and abused. And of this there are several instances to be given; and particularly when Captn Matthews was sent after two Deserters, which he found at Stamford in a house, and sending for Major Selick for his assistance to secure those two men, he being a Justice of the Peace in that Country, the Major came to the house and kept Matthews in a room while the Soldiers made their escapes; and thus it is on all occasions. At Rhode Island it is the same. Several men belonging to the ship Jersey deserted and went to Rhode Island, and some to the East End of Long Island. Upon information of it one of the Lieutenants of the ship was sent in a small sloop to try if he could get any of them. I gave him a warrant to press those he should find at the East End of Long Island, and I gave him a letter to the Governour of Rhode Island to intreat him to assist the Lieutenant in getting any of the men that had deserted from any of the Queen's ships, and particularly from the Jersey. The Lieutenant went and did get some men at the East end of Long Island, but when he came to Rhode Island, he went to the Governour and delivered him my letter, who at first told him that he would do any thing to serve the Queen that lay in his power, but that he knew of no such men there. The Lieutenant told him that at his landing he had seen several that he knew to be deserters and had entered themselves on board a privateer that was then fitting out from that port. The Governour told him he was very sorry it was so, but since they had entered themselves he would not disoblige his neighbours; and in short dismissed him without letting him have one man, tho' at the same time there was then above thirty deserters from the Queen's ships there. These are the only two provinces we suffer by to the Eastward of us. In New England Coll: Dudley and Coll: Povey have been very careful in stoping all deserters that go that way, and within this fortnight they have seized six soldiers who had deserted from Albany this spring. On the other side to the westward of us, we had the same ill accidents attended us till the Governt of New Jersey was surrended to the Queen, for it was but crossing Hudson's River and they were in Jersey as safe as could be; but that is now at an end; so that if our Deserters will go that way, they must either go into Pennsilvania or Carolina, for if they go into Maryland or Virginia, we are sure of having them. Thus I have given Your Lordpps an account of the condition of this province, both in respect to its own Circumstances and to the Neighbouring Colonies. I hope You will pardon me if I take the liberty of declaring my opinion that these provinces will never be so useful to England as they may be till they are brought under the Queens immediate Governt. Then the rule will be the same, and the several Governts upon this vast Continent will be able to assist each other, as the Queen shall please to Command. I think likewise it would be of great use if the coin that is current in this part of the world, was put upon the same foot in all those Colonies; many inconveniences happen for want of such a Regulation and particularly to this province. For example, a piece of Eight, weighing seventeen penny weights, goes for six shillings and nine pence in this place; but at Philadelphia it goes for seven shillings and sixpence, so that no heavy money is to be found here. I am persuaded the neighbouring Colonies which by Her Majesty's command ought to contribute towards the fortifying the Northern frontiers of this Colony, will never be brought to do it, unless some effectual way be found out to compell them to it. Whether Your Lordpps will think a short Act of Parliament to be passed in England may be a proper way I shall submit to your better judgements. But I cannot help to acquaint Your Lordpps that all these Colonies are posessed with an opinion that their General Assemblies ought to have all the same powers that a House of Commons of England has; nay, in this province where I must do them the justice to say there are very many good men

among the English Inhabitants of this place, many among the French, and some among the Dutch, yet there were some people who did endevour to prevail with the Assembly to offer at some things which would have been great incroachments upon the prerogative of the Crown; but they soon desisted and proceeded upon the matters before them. Thus I have offered to your Lordpps what relates to this province. I do not question but you will please to apply such remedies as may be proper, which I shall always submit to Your Lordpps better judgements and remain. My Lords

Your Lordships

New Yorke
June 30th 1703.

Most faithful humble servant
(signed) Cornbury.

Lord Cornbury to the Lords of Trade.

[New-York Entries, B. F. 856.]

To the Right Honble the Lords Commissrs for Trade and Plantations.

My Lords,

The letters your Lordpps favoured me with by the way of Virginia, and by the Ship Supply, Captn Blackstone Commander, I acknowledged the Receipt of by a small Sloop bound for Bristol, which sailed from this Port on the 1st instant. I did then acquaint Your Lordpp that Coll: Nicholson had been here. At his going from hence I perceived that one of his chief reasons of his coming at that time was the refusal that the Assembly of Virginia had given him of raising the quota of money appointed by Her Majesty to be furnished by that Colony towards the fortifications upon the frontiers of this. That Gentleman being very sensible of the necessity of securing the frontiers of this Colony, offered to lend the money, provided they would repay him at their own convenient time. But the Assembly of Virginia would not hearken to that. The were resolved not to supply any money at all. So Coll: Nicholson came to this place and finding the condition of this province much worse than he could have believed it, he gave me three bills of Exchange for nine hundred pounds each upon Mr Perry and Lane, all three of the same tenour and Date, payable to me or my order, and told me he would write to Mr Perry and Lane to advise them of it. I received the Bills, but withall told him that I would send them over to my agent Mr Thrale, with directions to lay them before Your Lordpps. I likewise told him that I would make it my request to you, that the Queen might be moved to allow the said sum out of the quit rents of Virginia, of which Coll Nicholson hath a great summe now in Bank in his hands. I hope Your Lordpps will be so favourable to this province to intercede with Her Majesty that the said nine hundred pounds may be allowed out of the Quit Rents of Virginia. In the mean time I have sent the Bills to Mr Thrale with orders to lay them before you, and not to tender them to Mr Perry and Lane till your Lordpps shall be pleased to let him know the Queen's pleasure, and if her Majesty is not pleased to allow of what is now prososed I have ordered Mr Thrale to cancel the bills in presence of Mr Perry and Lane. I must further acquaint your Lordpps that I have writ to all the neighbouring Colonies who were appointed by his late Majesty to furnish their Quota towards the fortifying of the frontiers of this Colony. From Maryland I have a letter signed by the President and some of the Council to acquaint me that the Assembly of that Colony have consented to raise three hundred pounds, whereas their Quota is six hundred and fifty.

The province of Pennsylvania have absolutely refused to raise any thing. The province of Connecticut have acknowledged the receipt of my letter, and say that an Assembly have been called upon the subject thereof, but are come to a resolution not to raise any money till they have applyed to the Queen and received Her Majesty's answer. The Governour of Rhode Island has likewise sent me an answer to mine; his letter is full of protestations of Loyalty and fidelity to the Crown but no money. Their pretence is that they shall be at very great charges in fortifying their Island; tho' at the same time every body that knows that Place, is sensible that it is not possible to fortify that Island without laying out ten times more than the Island is worth, because it is easy for any body to land in every part of it. Thus your Lord^{pps} may see how little help we are like to have from our neighbours upon this Continent, with respect to money. I am affraid if we should be obliged to call upon them for this Quota of men, we should have as unwelcome answers as we had about the money. I am well satisfyed that this vast continent, which might be made very useful to England if right measures were taken will never be so till all the proprietary and Charter Govern^{ts} are brought under the Crown. The reason of my opinion I have given Your Lord^{pps} in another letter by this conveyance, and therefore shall not trouble you with any more upon that subject in this.

The General Assembly of this province did, last Fall, give the summe of eighteen hundred pounds for the maintaining of one hundred and fifty Fuzileers, and thirty men as Scouts, with their proper Officers for a certain time limited in the Act. This service hath been performed, which has kept us so quiet that no attempt has been made by the French or their Indians on our side all the last Winter. I have kept spies abroad ever since the begining of May, and shall continue to do so all this summer; by which means I hope to be informed of any design the French may have against these parts. Two of these Spies came in about a month ago and acquainted me that a party of French and some Indians were preparing to go upon an expedition against the Eastern parts of New England. I immediately wrote to Coll: Dudley to acquaint him with it; upon which he went to the Eastward to put things in the best posture of defence he can. I have two more of those spies come in some few days ago, who informed me, that there has been a very great mortality amongst the people of Canada, occasioned by the small pox which has carried off some hundreds of People. The same people inform me that the French of Canada were in great apprehensions about five weeks ago, having heard that a Squadron of English Men of War was to come into the River of S^{t} Lawrence; upon which they drew all their strength down to Quebeck; so that if we had had force sufficient, it would have been very easy to have destroyed Montreal. They have since been informed that the Squadron they had heard of, was gone to the West Indies; so their people are returned to their habitations about Montreal and other places thereabouts. I am still of opinion that it is no difficult matter to drive the French out of Canada, and that by the methods I proposed to your Lord^{pps} in my letter of the 29. of September last. I am more than ever of opinion that the charge of that Expedition would soon be reimbursed, not only by the Customes of the Peltry Trade, but likewise by saving considerable sums of money, that are yearly laid out in Presents for the Indians to keep them firm to us, without which it is not to be done. I take the liberty to acquaint Your Lord^{pps} that in October last I received a letter from Mylord Nottingham, directing me to order the Jersey Man of war to convoy some Vessells of provisions to the West Indies, which were to be provided by Coll: Quary. It is true (some ice having appeared in the River) the ship was layd up for all Winter in a place called Kipps Bay, which is the usual place for any of the Queen's ships to lay up in, in Winter for fear of the ice which drives down here in winter with great fury. However, in obedience to his Lord$^{p's}$ commands, I sent for M^{r} Rogers who by being first Lieutenant come to the Command of the ship

upon the death of Captⁿ Stapleton; I told him what orders I had received, and directed him to make all the haste he could to fit the ship for sailing as soon as I should hear from Coll: Quary that his vessels were ready. Two days after that Coll: Quary came to Town. Mr Rogers waited upon him and told him how inconvenient it would be to fit out the ship at that time of the year; so Coll: Quary desired me that the ship might be ready by the 28th of March, that being the time that Mr Rogers had promised to be ready, I promised Coll: Quary I would take all the care I could, and accordingly I sent for Mr Rogers to me and told him, he must take care to get the ship Jersey ready to saile by the 28th of March at furthest, wind and weather permitting; he promised me he would, and on the 12th day of January, I gave Mr Rogers a press Warrant to press seamen at the East End of long Island and in other parts of this province, being willing to spare this City as much as possible, because it had suffered so much by the sickness last Summer. He complained at that time that he wanted forty men of his compliment, and indeed I do not wonder at it, for he used his men so ill, that none would stay with him but those that could not help it. He sent a Lieutenant out with the Warrant I gave him, having hired a sloop for that purpose for a month; but instead of returning in a month, he stayed out near two and brought but sixteen men with him, during which time, by the negligence of the said Mr Rogers, several men deserted from the ship, so that he has had from this place upwards of four score men. I prest him every day to saile, but he still pretended he wanted men, till at last I was informed by one of the Officers of the ship that they had had their complement about three weeks. Then I commanded him to saile immediately, but he was detained by contrary winds at Sandy-hook about eight days. That Gentleman has not behaved himself well here, and really, if there is not some care taken to put the Captains of the Queens ships under some regulations, and that the Governours of these provinces may be informed how to proceed with them, they will often create great inconveniencies in these parts, for they look upon themselves to be under no command, and so do what they please.

The General Assembly of this province have met, according to the adjournement, and have past several acts, and attempted several others which I did not think proper to consent to. The Acts are transcribing to send your Lordpps I shall send them by the next ship, and shall then give you an account of those I rejected, with an account of some other proceedings.

I herewith send two addresses to Her Majesty, signed by myself, the Gentlemen of the Council, and the Assembly. The first is an humble address to congratulate the great success of Her Majesty's Arms the last year, and the other is to represent the poor condition of this province, both which I intreat Your Lordpps will please to lay before the Queen. I likewise send two Quarterly Accounts, that for Christmas quarter and that for Ladyday quarter. I take the liberty to send your Lordpps the Laws of Connecticut, and with them a booke writ by one Mr Buckley,[1] who is an inhabitant of Connecticut. By that you will be informed of the methods of proceeding in that Colony. I did intend likewise to have sent you the Laws of Pennsylvania and Rhode Island, but I have not yet received them. I hope I may get them by the time the next ship sailes. This is all I shall trouble Your Lordpps with at this time and remain My Lords

Your Lordpps

most faithful humble servant

New Yorke
June 30th 1703.

(signed) Cornbury.

[1] Rev. Gershom Bulkley of Wethersfield, Connecticut. The title of his book was, *The Doom, or Miseries of Connecticut*. Trumbull, who gives a synopsis of its contents, says it was "a large folio," which not only exceedingly mis-represented and criminated the Colony, but expatiated on the advantages of a general governor of New England, and highly recommended the government of Sir Edmund Andross. *History of Connecticut*, I. 423. N. Goodwin, Esq., of New Haven, informs me that the Connecticut Historical Society has a copy of Mr. B.'s work, made from the original in England. — Ed.

Mr. Robert Livingston to the Lords of Trade.

[New-York B. T. XIV., W. 12.]

May it please Your Lordships.

This is to accompany Your Lordships packet from my Lord Cornbury Governr of N. Yorke, which we, with much difficulty sav'd from being taken by the French, who took ye sloop I came in called the Thætis, burthen 50 tuns, Nicolas Tienhove commandr in sight of ye Island Lundye, yesterday, wch is 25 leagues from Bristoll, whither we were bounde. We sail'd from N. Yorke ye 2 June and on ye 8 July being yesterday mornG made ye Island of Lundye, but happend to see a saile to winderd asson as we spy'd ye land, who chas'd and came up with us about 9 a clock in ye morning, we being a small vessel and but 11 hands gave ye privateer severall gunns, but he having 6 guns 4 pattereroes and 50 men, soon master'd us with his small shott, being one Capt. Francois la Marque, belonging to Rochecaux in France, and after he had taken us, us'd us very barbarously, for we redeem'd ye sloop for £450 sterl: and gave a pledge, and after yt he had pass'd his word of honor not to meddle with us, not only plunder'd ye sloop and took every thing he could carry away, but search'd our pockets and took all from us, and turn'd us adrift, there being a saile in sight, wch proov'd to be ye Rye Frigat, who is gone after him. I wish he may be so fortunate to take him, for he is a great plague to these parts, and besides all I have lost he hes got several books & accounts in my chest, that trouble me much.

My Lords, I have been a servant to ye Crowne 28 yeares in that Province and have launch'd out all ye small fortune I have, and run my self deeply in debt for victualling Her Majes forces & other Publick Services, and was now constrained to leave my family and concerns to come for England to gett those debts due to me from ye Crown, and have unfortunately met with this disaster; but I hope your Lordships will, after you are throwly inform'd of my circumstances, be my intercessors to Her Majestie for releefe. We lye here for a winde, to goe to Bristoll, from whence I make haste to wait upon your Lordships to give an account of ye affaires of our Province. We have had no disturbance from ye French of Canada, yet, they having had a great mortality amongst them, both Christians and Indians. Our Indians of ye 5 Nations prove true hitherto, but are much tamper'd withall by ye French, wch causes many to waver. I shall not trouble your Yr Lordps any further at present but remain with great respect,

May it please Your Lordps
Your Lordships most humble
& most obedient Servant
Robt Livingston.

Clovally in ye County
of Devon, near Lundy
9 July 1703.

For the Right Honble the Lords
Commissioners for Trade and
Forreign Plantations
At Whitehall.

Lord Cornbury to the Lords of Trade.

[New-York Entries, B. F. 368.]

To the Right Hon^ble^ the Lord Commiss^rs^ for trade and Plantations.

My Lords,

I herewith send your Lord^pps^ the Acts of the General Assembly of this province passed last spring. They are in number twelve. The first is an act for raising £1500 towards erecting two Batteries at the Narrows. This act, I hope, will not meet with any difficulty before your Lord^pps^. These Batteries which are proposed to be erected being the only method that can be found to secure the entrance to this port. The second is an act to oblige persons to pay their arrears of the 1000£ Tax formerly granted for erecting a Fort at Onondago, and for applying that money towards the carrying on the Fort at Albany. I hope this Bill will recommend itself sufficiently enough to obtain your recommendation to Her Majesty. The third is an act to reverse the Judgements against Bayard and Hutchins. The only reason I can offer for this Act is, that having received Her Maj^tys^ Commands to direct the Attorney General here to consent to the reversing the Judgements against those two men, and all such other things as might best conduce to the restoring the said Bayard and Hutchins to their Estates ettc. I sent for Bayard and told him of it; he said he would advise with Council which would be the properest way to do it; and two days after he came to me with his Council, and told me that an Act of Assembly would be the properest way. I told them I thought a writt of Error in the supreme Court would be best for the parties concerned. The Council agreed with me, but then he urged that the supreme Court would not sit till October, that Coll: Bayard was old and that if he should die, the sentence unreversed, it might create a great deal of trouble to his family, and further said that if they did obtain an Act, yet they would bring their Writ of Error in the supreame Court, if Bayard lived so long. Upon these considerations, and seing the draught of an Act which his Council had prepared against the sitting of the Assembly, which contained nothing in it further than what I thought was intended in the Queen's Commands, I assented to that Act and hope Your Lord^pps^ will approve of it. The fourth is an Act to enable the Justices of the City of Albany to build a Gaol ettc. This act I hope you approve of, for it is a very necessary act for that Place, and the charge is to lay upon themselves only. The fifth is an Act to rectifye a mistake in a former Act for defraying the publick charge of this province, whether your Lord^pps^ will approve of this act now, or whether you will please to let it lye a little while I shall submitt to you. The reason why I offer this is because just now there is a Gentleman come from the Country who says he fears several inconveniencies will arise from this act, which were not foreseen at the passing of it, and I suppose in a short time I shall be able to give you a better account of it. The sixth is an act to prevent the distilling of Rum, and the burning of Oyster shells into Lime within the City of New Yorke. This Bill was occasioned by the noisomness of these two things, which every body thinks contributed very much to the continuance of last Summer's sickness; therefore I hope Your Lord^pps^ will please to recommend it to the Queen for Her approbation. The seventh is an act for the better maintenance of the Minister of N. Yorke. I humbly intreat this Act may be confirmed. It is to add sixty pounds a year to a hundred pounds a year settled upon him by a former Act. The Gentleman deserves extreamly well. The eighth is an Act to bring the weights and measures of this place,

which hitherto have been according to the Standard of Holland, to that of England, which I hope will be a sufficient reason for the confirming of it. The ninth is an Act to enable the Minister and Elders of the French Church to build a larger Church. Their congregation is much inlarged, and they have behaved themselves always well towards the Govern^{t}; therefore I hope you will approve of it. The tenth is an Act to supply the defects of [an] act passed last Year for Appointing Commiss^{rs} to state the public accounts. Without this Act those Commiss^{rs} will not be able to perform what is required of them, for want of sufficient power, which this Act gives them, and therefore I hope will pass. The eleventh is an Act for laying out highways throughout this province. This I suppose will appear so reasonable and necessary a thing that it will want no further recommendation from me. The twelfth is an Act for the more speedy recovery of the forfeiture of six pounds inflicted by a former Act for regulating and settling the Militia of this Province. The method of levying that penalty by the former Act was so dilatory that it rendred the thing itself ineffectual. This Act remedys that evil which will make our detachments upon all occasions much more easy; therefore I hope Your Lord^{pps} will approve of it. Thus I have given you an Account of all the Acts passed the last spring, which I humbly submit to your Lord^{pps} better judgem^{ts} and remain with great respect—

My Lords ettc.

N Yorke. July the 12. 1703. CORNBURY.

Lords of Trade to Lord Cornbury.

[New-York Entry, B. F. 9. 372.]

To the Right Hon^{ble} the Lord Cornbury Her Majesty's Capt^{n} General and Govern^{r} in chief of Her Maj^{tys} Province of New Yorke and of the territories thereupon depending &c^{a} in America; or to the Commander in Chief of the said province for the time being.

My Lord,

Since our last letter of the 29th April whereof a duplicate is here inclosed, We have received one from your Lord^{p} dated the 29th of May.

We herewith send your Lord^{p} the several letters relating to the Quota to be furnished by other provinces for the assistance of New Yorke viz^{t} by Rhode Island, Connecticut, New Jersey, Pennsylvania, Maryland & Virginia, together with copies thereof, that Your Lord^{p} in sending forwards the said letters may write accordingly to the respective Governours. And we desire you to give us an account of the answers you may receive from them.

We writ your Lord^{p} the 7th April that We were preparing a Repport upon the Acts past at New Yorke the 27 Nov^{r} 1702 which you had sent us in Yours of December following, but We ommitted to tell you in Our next the 29th of April, that we had been obliged to postpone the consideration of that Repport until We receive your answer to what we writ you the 26th of January, upon a list of Acts past during the Administration of the late Earle of Bellomont and Capt^{n} Nanfan. And since in this letter now before Us, you promise us that answer by the next ships, We shall accordingly expect it.

Whereas you have directed the Acts disallowed by Her Majesty, to be taken out of Secretary's office and destroyed, We can not approve of that method; it not being proper to destroy any Record, which for some time was in force, and to which recourse ought to be had upon occasion tho' not longer in force, nor has this method been practised in any other of Her Majesty's plantations.

We very much approve of Your Lord$^{p's}$ resolution of reconciling the differences amongst the inhabitants of the province; and as you say that no proceedings have been made in any Court by the Govern^{t}, upon former Resentments, but that Coll: Bayard has brought his private Action against some of his Jury, We hope your endevours for peace will likewise prevaile upon this as on other occasions.

We have nevertheless to acquaint you that we have received application, by letter from Capt^{n} Nanfan, complaining of hardships he lies under, by being confined for sums of money upon account of the four companies, which he alledges in fact he did not receive. We do expect that, besides the account of Capt^{n} Nanfan which your Lord^{p} will send to My Lord Treasurer, you do likewise send us a copy thereof, and an explanation of the State of that whole matter. And in the mean time we do recommend to your Lord^{p} that, for avoiding any imputation of espousing of parties, your Lord^{p} would cause just and reasonable security to be taken for the said Capt^{n} Nanfan's answering the Ballance of his account, in order to his being released from his confinement.

The Countess of Bellomont having likewise applyed to us for obtaining a longer respit of all prosecution against her security at New Yorke, We send your Lord^{p} here inclosed, for your information, a copy of Her Ladyship's petition and of the letter we writ to the Earle of Nottingham upon that subject, upon which, we understand directions have accordingly been given you—

We are, My Lord—

Your Lord$^{p's}$ most humble servants

Whitehall July 29. 1703.

W^{m} Blathwayt Rob^{t} Cecill
Mat: Prior Ph: Meadows.

Lord Cornbury to the Lords of Trade.

[New-York Entries, B. F. 875.]

To the Right Hon^{ble} the Lords Commiss^{rs} for Trade and Plantations—

My Lords,

I trouble your Lordships with these few lines only to acquaint you that on Thursday the 29th of July M^{r} Byerly M^{r} Clark and Capt^{n} Matthews arrived here from Virginia, by whom I received the Commissions Her Maj^{ty} has been pleased to honour me with; and also Her Maj$^{ty's}$ instructions which I shall take care punctually to observe. They have likewise delivered me several packets from Your Lord^{pps}, to which I will return particular answers, as fast as the

nature of things will permitt; and I intreat you to believe, that I shall always exactly observe Your Lord^{pps} directions in all things. By the Virginia convoy, which will saile in six weeks, I shall give you accounts at large of most matters relating to these parts—I am

My Lords

Your Lordships most faithful

humble servant

New Yorke Aug: 5. 1703. (signed). CORNBURY.

Memorial from Mr. Livingston about New-York.

[New-York Entry, B. F. 376.]

To the Right Hon^{ble} the Lords Commissioners for Trade and Foreign Plantations.

The humble Memorial of Robert Livingston Secretary for the Indian affaires in the Province of New Yorke.

Sheweth

That in obedience to Your Lord^{pps} commands he hath collected and presents to Your Lord^{pps} the state of affaires in New Yorke, in relation to the Five Nations and other Indians in that neighbourhood, which he is glad to find Your Lord^{p} desirious to have an account of, because those Indians have for two years last past been very pressing upon him to come over and give Your Lord^{pps} an account of their condition, as by their publick propositions Anno 1701. and 1702 appears.

The advantages which hath attended Her Majesty's Plantations on the North continent of America by the steadiness and firmness of the Five Nations of Indians and the River Indians unto the Govern^{t} of New Yorke, are so obvious that they need not be enumerated; they having fought our Battles for us, and been a constant barrier of defence between Her Maj^{tys} Plantations of Virginia and Maryland and the French; and, by their constant vigilance, prevented the French from making any descent that way; But the late long War, and the great loss which they sustained in their youth hath almost dispirited them, and during the peace the French, who are sensible the mischiefs they suffered from those Indians, have applyed the chiefest artifices they could invent, either to gain them to their side, or so to terrify them, that they may be in continual fear of the French power.

The French Priests, by their insinuations and false pretences, have decoy'd ove[r] to them a great many of our Indians, and have raised a great faction in their Castles; and it's feared a great many more will follow, unless they have Ministers to instruct them in the Christian faith, of which they seem very fond. The Nations of the Sinnekes and Onnondages have also received such impressions of the Christian Religion, that if Ministers were planted amongst them, to convert them to the Christian faith, it would be of great advantage to Her Maj^{tys} Plantations, not only in securing these Indians friendship, but also in being a Cheque and discouragement to the French Emissaries, who frequently visit those Nations and lived there all last winter endevouring to corrupt their affections from the English, and make ill impressions in their mind, to the apparent prejudice of their Trade, which decays daily more

and more. The mischiefs are increased by the French having resettled Cadarachqui, where they intice our Indians coming from hunting and get from them what they take; so that our Indian Trade is not a fifth part so much as it was formerly.

My Lord Cornbury, our present Governour, since his arrival, by his prudence and conduct, has much contributed to the steadying & securing of the Indians of the Five Nations, as well as quelling the heats and animosities he found in that poor and distracted province among the Inhabitants.

My humble opinion, if I may presume to offer it, is that the only way to secure the Northern part of America and the fishery there, would be the taking of Canada, which might be done with less charge to the Crown than has been lately expended at one French Island. Some few Frigats with a Bomb Catch from hence and a Regiment of disciplined men, with some good Officers to head the men that might be got there would do the business. A party detached from the several Colonies, with our Indians are to go by land from Albany in Canoes and to meet the naval force would facilitate the matter; and it would be worth while to keep it too; for the French will otherwise in time grow so formidable, by settling behind all the English Plantations and keeping a constant communication and correspondence with Missesepie, that they will, by the Forts and settlements they erect in the heart of the Country, be enable to infest our plantations by daily incursions upon them who lye scattered to and fro without any force to cover them.—

The neighbouring Governours may be directed to meet at New Yorke to consult this matter.

But if the taking of Canada can not be effected next summer, then it will be highly requisite that the fronteers at Albany be better secured, and that the Fort which my Lord Cornbury has begun, be not only compleated with all speed, but that there be a stone Fort built at Shinnechtady also, and Stockadoe Forts at Nastagione, Half Moon, Sarachtoge, Skachhooke & Kinderhoek, and garrisoned with Soldiers, and a Troop of Dragoons and a Company of Bushlopers or Woodrunners to be raised of the youth at Albany in the summer time to goe the rounds daily from Garrison to Garrison, which with scouts kept continually out to range the woods from the several smaller Garrisons will be a means to secure our frontiers that way. Moreover, if these out Garrisons be not secured, the Inhabitants will desert and leave all their settlements above the City of Albany wast; which will be prejudicial to Her Majesty's interest and incouragement to the Enemy. It having been found by experience last war that whilst these out-places were garrisoned the Country was secure, but no sooner were they deserted but the enemy gained ground and scalped our people near the very gates of the City.

This, as I humbly conceive, cannot be well effected without six hundred men; for the four Companies that consist of 400 men there, are much lessened by death and desertion, although all care imaginable has been taken by My Lord Cornbury to prevent it; and their pay, which is all money now, (and a much better way than provisions) has not been punctually complyed with all at Albany, there being sometimes twelve or thirteen weeks subsistence in arrears, (without quarters) by reason the Merchant that was to furnish the money was not able to do it punctually. This contributed to their desertion, and if My Lord Cornbury's bills should not be duly honoured it will be of worse consequence, and I doubt not but Your Lord^{pps} will prevent such an accident which might prove so fatal as to breake all the Companies and indanger the security of that Province, which is so much impoverished by the late divisions and distractions, and its Revenue so much anticipated by the late Administration that seven years accruing Revenue will not pay the debts of the Province ows now, so that it can not be expected they can raise Men to secure the frontiers.

True it is we have had no mischief done by the French or their Indians since the war was proclaimed, but it is every day expected, and the only way to be safe is to be upon our guard and well provided, and that will give heart to our Indians to stick close to us, when they see we are able not only to defend ourselves but to protect them.

And for the incouragement of those Fuzileers that are there, or will be sent over from hence to reinforce the Garrison, I humbly conceive the men ought to be kept no longer Soldiers than four years, and then every year a hundred Recruits send over and a hundred discharged, which would people and settle the Country, and those men take to the employment of making Pitch and Tar and other Naval stores or manure land and they see convenient, which would contribute much to the strengthening the fronteers.

That it will be requisite that a present or bounty be sent, such as your Lordships shall see meet, to be given to those Indians of the Five Nations and River Indians; but not in such quantities to all the nations in General, as has been practised formerly, whereby those of the French faction participated of Her Majesty's bounty as well as those that are true to the English; but the present to be made to such only as are known to be wholly devoted to the interest of the Crown of England, and that some Christians be appointed to be constantly with the Indians in their castles to prevent the French intrigues.

These, My Lords, are my sentiments from the observation I have made by my conversing and living amongst these Indians; and if they are aggreable to Your Lordships opinion I humbly pray that Your Lordships will intercede with Her Majᵗʸ to order some speedy and effectual care to be taken that the said province and the Indians may be secured, and the French prevented from making any settlements in those parts.

Robᵗ Livingston.

Lord Cornbury to the Lords of Trade.

[New-York Entries, B. F. 384.]

To the Right Honorable the Lords Commissʳˢ for Trade and Plantations.

My Lords,

Your Lordships letters of the 26ᵗʰ of January 170⅔ Febrʳʸ the 22ⁿᵈ 170⅔ March the 25ᵗʰ 1703. April 7ᵗʰ 1703 and April the 29ᵗʰ 1703 all came to my hands with all the papers inclosed on the 29ᵗʰ of July last by Mʳ Clarke,[1] who at the same time delivered me my Commissions and

[1] George Clarke was descended from the Clarkes of Somersetshire, whose residence was at Swainswick, near Bath. Having pursued the study of the law, he was appointed Secretary of the Province of New-York, and was sworn into office on the 30th of July, 1703. He was called to the Council in 1715, and became Lieutenant-Governor in October, 1736. He administered the Government until 1743, when he was succeeded by Mr. Clinton, and sailed for England in 1745, having accumulated an estate in this country, estimated, at the time, at £100,000. On the passage he was taken prisoner by the French, but had the good fortune to be soon after released, and indemnified by Parliament for his losses. He retired to a handsome estate in Cheshire, which was purchased, it is said, with his American acquisitions, and died there at a very advanced age — Smith says, "about the year 1761;" *Hist. of New-York*, II., 68; the Albany edition of that work, p. 453, "in 1763," but in *Wheaton's United States Reports*, III., 4, it is established that he died in 1759. Mr. Clarke was married to Ann Hyde, a distant relative of Lord Chancellor Clarendon, and thus became connected not only with Lord Cornbury, but even with the Royal House of Stuart. This lady, who died in New-York, is represented as a woman of fine accomplishments. — Ed.

Instructns for this province, and for that of Nove Coesarea or New Jersey. On the next day I published my Commission for the Governt of this province, in the usual manner, after which I took all the oathes required and subscribed the test of abjuration. Then I administered the same to all the Gentlemen of the Council who were then in Town. I have likewise sent directions to Administer the oathes to all persons in any offices in the several Counties in this province, and on the 10th of August I left this province to goe into Nova Coesarea or New Jersey.—I have given your Lordpps in another Letter, a particular account of all proceedings in that province, so shall so no more of it in this. I am now going to Albany to meet the Indians, who, contrary to their promise to me the last year, have received two priests at the Onondagos Castles. I have sent Coll Schuyler thither to trye if he can prevaile with the Indians to send the priests away; I hope he will be returned by the time I get thither. I shall not stay above ten days there; because the Assembly of this province is to sit here upon the 5th of October. I hope I shall prevail with them to give a fund for a stronger detachment than last year. We have an account of some preparations the French are making in Canada; particularly several large boats, which we suppose to be intended for the carrying men from Quebeck to Montreal, in order to be ready to attempt something upon our Frontiers this Winter. I intreat Your Lordpps to believe that nothing shall be wanting on my part to secure this Country from any attempt of the Enemy; tho really the little security we have of the Indians makes the people who live upon the frontiers very uneasy. I wish we had more regular forces, we should then be better able to defend the Country, to annoy the French, and keep the Indians in awe. In my letter to Your Lordpps of the 30th of June, I acquainted you that I had kept spies abroad ever since the beginning of May, by some of which I had intelligence of a party of French and Indians, who designed to make some attempt to the Eastward of New England of which I gave Coll Dudley notice. He has since found my intelligence true; for by the last post from Boston, I received a letter from Coll: Dudley, by which he tells me, that a party of French and Indians had surprised a place called Wells, where he had posted fourscore men. After that the Enemy went to surprise a fort called Casco, where there was twenty men, but they defended themselves so well that they killed several of the Enemy and kept the place.—Your Lordpps are pleased in your letter of the 29th of April to say that you are preparing letters to be sent to the several Plantations relating to the Quota to be furnished by them for the Assistance of N Yorke. I wish they may be more obedient to Her Majesty than they were the last time; but I am affraid you will find they will not till they are compelled, either by some Act of Parliament of England, or by such other method as the Queen will please to make use of, particularly Connecticut and Rhode Island, from whence I am fully satisfied, we shall not have one farthing from them as long as they can help it. They hate any body that owns any subjection to the Queen. That our people find every day; for if any of our Merchants of this place goes to sue for a just debt in the Court of Connecticut, to be sure he shall have no right if his suite is against one of that Colony.—The next thing your Lordpps are pleased to mention in your letter of the 29th is that you are expecting an answer from me upon your Directions for my examining the Acts of Assembly, of which you were pleased to send me the titles in Your letter of the 26th of January last. I hope yet, before these ships goe, to send Your Lordpps a satisfactory answer to that matter, and the only reason why I do not send it with this letter is because all the Gentlemen of the Council have not yet declared their opinions. Some of them are very nearly concerned in some of those acts, as you will perceive by the account I shall send of them, in which I shall be careful to send very particular answers as your Lordpps require.—

I humbly thank your Lord^{pps} for the increase of my salary. I shall not fail of acquainting the Assembly, as soon as they meet, with her Maj^{tys} orders for prohibiting any presents being made to [the] Governour for the time to come. And I intreat you to believe that I will punctually observe Her Maj$^{ty's}$ commands in that matter, for I doe assure you I will not take any present from any person whatsoever. As for the Courts of Justice, which your Lord^{pps} mention in the last paragraph of your letter, I do assure you that in all Causes that have come before me in Council, I have always given them the best dispatch possible, and I am sure there has never been any delay, unless it were at the request of the parties themselves, or at the desire of some of the Gentlement of the Councill; but that has not been for above three or four days. Indeed I have heard that the proceedings in the Supreme Court here have been dilatory; but I can assure your Lord^{pps}, since the Queen was pleased to appoint D^{r} Bridges to be Chief Justice here, he has applyed himself with great diligence to the reforming that abuse. I will not faile to send your Lord^{pps} as soon as possible the Account you require relating to the causes depending in the Courts here. I had sent it now, had not this been the time of the Circuit, so that people being out of Town, I can not get so perfect an Account as I ought, and am desirious to send to you; however, if I can not get it ready to send by this, I will be sure to send it by the next conveyance.

In your Lord^{pps} letter of the 7th of April, I received a copy of your Report to the Queen, for which I return your Lord^{pps} thanks, and for the care you are pleased to take of this province. I will use all the endevours I can with the Assembly to make provision in the best manner for the defence of the Province. I will take care that for the future the Accounts of the revenue shall be transmitted quarterly if there is any conveyance ready, and if not, by the first conveyance that shall offer.—As for the Countess of Bellomont's accounts, I have laid them before the Councill, but finding them very deficient, we have referred them to three able accountants whom we have appointed to meet My Lady Bellomont's agents, to see if they together can adjust it, in order to lay it before the Councill, that we may be able to make such a Report as may be proper to lay before Your Lord^{pps} which I hope will be to your satisfaction. As for the receipt of any public money, I shall most certainly observe the advice you give me. I will send an answer to M^{r} Champante's paper by the next conveyance.

I have likewise received your Lord^{pps} letter with M^{r} Attorney General's opinions inclosed. As to that relating to Bayard and Hutchins, I can only say that I was told that Bayard has brought his action against one or two of his Jury and one of his Judges. But I did not think it proper for me to stop any man's private actions, especially when there was no application made to me by the other side. As to M^{r} Attorney General's opinion relating to Graves and Prideaux, I can only say that M^{r} Champanté does not state that case fairly in his memorial. I suppose the parties themselves have made that appear before this time, therefore I shall trouble your Lord^{pps} no further upon that matter now, only to inform you what effect those opinions have had here, and that is thus. Those opinions are transcribed and dispersed among those who are called here by the name of the Black party, some of which will never be reconciled to an English Govern^{t}, nor to an English Governour, unless they can find one who will betray the English Laws and interest to the Dutch. These persons as soon as they can get these copies, turn them into Dutch and read them to the ordinary people, and tell them that the proceedings of Capt^{n} Nanfan and M^{r} Attwood are approved at home, and confirmed by the Reports of the Attorney Gen^{l} in England; and this has happened within these four days past; therefore I desire when you are pleased to send M^{r} Attorney General's opinion that I may likewise have the case as it

is stated to him, that I may be able to lay the truth before your Lordpps. As soon as I return from Albany I will give you an Account how I find matters here, and will use my utmost endevours to keep all things in a posture they ought to be. I herewith send the Acts of Assembly passed the last spring; but no conveyance offering till now I could not send them sooner. I am with great respect — ettc

New Yorke Septr 9th 1703. CORNBURY.

P. S I take the liberty to acquaint your Lordpps that all the packets sent directly from hence I have receipts for, and always injoin the person to whom I deliver them to sink them in case of danger; but those I sent by the way either of Boston or Philadelphia, I can not answer for.

Lord Cornbury to the Lords of Trade.

[New-York Entries, B. F. 392.]

To the Right Honble the Lords Commissrs for Trade and Plantations.

My Lords.

In my letter to your Lordpps of the 9th of Septr last, I took the liberty to acquaint you that I had appointed the Commissioners to meet my Lady Bellomont's Agents here, to see if they could adjust her Ladyships Accounts, which to me seem not so fair as I could have wished, those Gentlemen have met Mylady's Agents during my being at Albany three times and would have met them oftener, but the persons appointed by My Lady Bellomont refuse to account any further, than according to the account sent to them, as it is stated by Mr Champanté, which I can not allow to be a fair account, because Mr Champante accounts for no more than what he says he has received, but he does not produce any account from the Paymaster General's office to vouch the truth of his receipts, so that the only way (that I conceive) remains for us to state my Lady Bellomont's accounts, is for us to make a charge of the full pay due to the four Compnies here, during the time of My Lord Bellomonts Administration, and that My Lady's agents should discharge, that charge, by proper vouchers, in order to the doing this, at the last meeting of My Lady's agents, and the persons I have appointed to state the Account with them in my absence; the persons I had appointed delivered a charge to My Lady's Agents, amounting to £31898–11–8. New Yorke money, which makes up the ful pay of the four companies here according to the several establishments; the Gentlemen appointed by My Lady Bellomont did not [see] fit to proceed upon that charge, but insisted upon the account sent over to them by My Lady, wherein Her Ladyship is made debtor for £10062–15–6¼ only and no account from the Office to shew where the Officers, and soldiers must apply for the remaining part of the first summe abovementioned; besides, in the account sent over by My Lady to her agents (which is exactly the same which was sent to me by Mr Lowndes) there is no notice taken of the thirty per cent, which was appropriated by the late King for the payment of the Staff Officers, and for the repairing the Fortifications. Now I must inform your Lordpps that during My Lord Bellomont's time, very little has been paid to the Staff Officers, and nothing at all to the repairs of the Fortifications, tho' they stood

very much in need of being repaired. I am lately informed that My Lady Bellomont does intend to beg of the Queen the thirty per cent which will much alleviate the demand upon My Lady. Now as I shall never pretend to oppose any favour Her Majesty may be pleased to extend to that Lady, soe I think I should be much wanting in my duty to the Queen if I should not inform Your Lord^{pps} of the truth, which is thus: if the Queen is pleased to grant to My Lady Bellomont, the whole thirty per cent, during all the time of My Lord's Administration, then the Staff Officers who have lived here upon credit a great while, must expect to go to prison unless the Queen is pleased to order some other fund for the payment of the arrears due to them, as for the overplus of the thirty per cent which ought to have been applyed to the repairing of the Fortifications; I shall submit to your Lord^{pps} opinions, what ought to be done with that, only I must say that if the money has been rightly applyed, this Fort had not been in that miserable condition I found it.—I came to this place from Albany this day and finding a ship ready to sail towards Virginia, in hopes to come time enough for the convoy, I thought myself obliged to give you this account. I do intend to morrow to send for my Lady Bellomont's Agents to know if they will proceed upon the Accounts or not, if not, I will by the first conveyance acquaint your Lord^{pps} with it, and send you an account stated as I think it ought to be, and submit it to your better Judgements. I take the liberty to acquaint you that I have met the Indians at Albany, and I hope I have fixed them at least for this Winter, I will by the next conveyance send your Lord^{pps} a full account of what passed between us. In the mean time I remain with great respect

My Lords. &c.

New Yorke Oct^{r} the 7th 1703. CORNBURY.

Captain John Nanfan to the Lords of Trade.

[New-York Entries, B. F. 85.]

To the Right Hon^{ble} the Lords Commiss^{rs} for Trade and Plantations.

My Lords.

I have twice made my application to your Lord^{pps} praying redress by way of letter, the one dated October the 5th 1702. the other 27 May 1703. wherein with all brevity I have endevoured to lay before your Lord^{pps} the difficulties imposed on me, by and thro' the means of My Lord Cornbury. My last told your Lord^{pps} I was clapt in Goal for the protested bills of exchange returned hither, and occasioned so protested thro' My Lord Cornbury's means by his Lord^{p} taking up the money and misapplying it by an appropriation of it to his own use instead of paying the bills drawn, when the officer and Soldier by that money taken up here were weekly subsisted, but this your Lord^{pps} having been so long and well apprized of I will forbear to proceed on that subject and avoid repetition but I must humbly lay before your Lord^{pps} that I am yet in prison for that moneys and God knows when shall be discharged without positive orders from England.

My Lords, the separating me and my family, has, is, and will be very destructive, with the vast expence I have been at already and must be put to, the loss of my time to improve my

own small fortune (since what I had from the Crown is taken from me) the blasting my reputation abroad, the confinement of my person in prison here, just so soon as my bread by my company was taken from me without any reason assigned, confirms me in the said opinion I was of in my last to your Lord^{pps}, that I am intended a sacrifice, therefore I most humbly pray your Lord^{pps} that such care may be taken for my redemption, as a free born Englishman ought to have, and that I may by a Mandamus be commanded for England, there to defend my Administration, or whatever may be objected against me, or that such positive orders may be sent, to permit me to go on my lawful occasions, saving harmless myself and all my securities for the above mentioned debts contracted for the payment of the Soldiers, and that My Lord Cornbury may be obliged, as he has misapplyed that very money, to make it good to the creditor, with the charges that his Lord^{p} has occasioned to accrue on that account, and which his Lord^{p}, as I am given to understand, intends to throw on me as drawer, his Lord^{p} being at present in a station above the Law, or any other means for me to procure satisfaction from him.

I humbly pray your Lord^{pps} will please to grant this my reasonable request, and I shall be obliged ever to pray for your Lord^{pps}

I am with profound respect &c.

New Yorke 11th of October 1703. JOHN NANFAN

P. S. My Lords, my accounts are allowed right with a great ballance to me and yet I am kept on them Bills in Goal although my Lord Cornbury publickly owns to have received the moneys in England.

Mr. Robert Livingston to the Lords of Trade.

[New-York Entries, B. F. 899.]

To the Right Hon^{ble} the Lords Commiss^{rs} for Trade and Plantations.

The humble memorial of Robert Livingston Secretary for the Indian affaires in Her Majesty's province of New Yorke in America.

Sheweth.

That pursuant to Your Lord^{pps} commands, he addressed himself to My Lord of London for Missionaries to be sent among the Indians for their conversion, who advised him to apply to the Right Hon^{ble} the Society for propagating the Gospell in foreign parts which accordingly he did, and by a memorial prayed, that they would be pleased to send six Ministers, that is: one to each of the five nations, and one to the River Indians, and that each Minister might have a couple of youths who would soon learn the language, and be able to minister to them, and that there might be houses built for the Ministers and a Chappel at each Castle, stockaded round, which by computation may cost 60 or 70 pounds a piece, and that said Ministers might be furnished yearly with some small presents to the value of £10. to give to the Indians, and that the Minister of Albany might be considered for the pains he has taken with the said Indians.

The Right Hon^ble^ Society have found out two good men for that purpose, that £100 sterl: p^r^ annum will be allowed to each of them and £20 a piece towards buying utensils for them, but he is directed by His Grace the Archbishop & the rest of the Society to acquaint Your Lord^pps^, that tho' they think it absolutely necessary for their better accommodation, that there should be small houses built for them among the Indians, and that they should each of them have a servant to attend them, yet the Society, which has already made such large efforts with an incomes so very small, entirely precarious and voluntary, do beg your Lord^pps^ to lay the matter before Her Majesty, since this affair is partly civil, and regards the State so far at least as the said Missionaries may contribute to secure those wavering people to the interest of the Crown of England and keep them from falling off to the neighbouring French of Canada.

Your Lordships are therefore humbly prayed that you will be pleased to represent it so to Her Majesty, who no doubt when she is well informed will contribute the remainder and whatever else will be needful for the accomplishing so good a work.

All which is nevertheless most humbly submitted by

Whitehall 18^th^ December 1703. Rob^t^ Livingston.

Lord Cornbury to the Lords of Trade.

[New-York Entries, B. F. 402.]

To the Right Hon^ble^ the Lord^s^ Commiss^rs^ for Trade and Plantations.

My Lords.

Being just now returned from New Jersey and finding a letter here from Capt^n^ Herne (which ought to have come to me a fortnight agoe) to acquaint me that he shall sail in ten days, I take the liberty to trouble your Lord^pps^ with these few lines to acquaint you that the Assembly of New Jersey have sat four weeks and some days, they had prepared some Bills, but the season has been so severe that I was forced to adjourn them till May next, at which time I shall meet them at Burlington, I hope they will then prepare such Bills as will be agreeable to Her Maj^ty's^ commands in my instructions which I shall endevour punctually to observe; if this ship stays any little time longer, I shall send your Lord^pp's^ an account of all our proceedings in New Jersey which is now preparing. I herewith send the account of the Revenue of New Yorke from the 31. of July to the 29 of Sept^r^ 1703.—

I am—My Lords. &c.

Cornbury.

New Yorke December 18^th^ 1703.

Mr. Champante to the Lords of Trade.

[New-York Papers, V. W. X.; W. 21.]

To the Right Hon^ble^ the Lords Com^rs^ for Trade and Plantacôns.

The humble Memorial of John Champante

My Lords.

I humbly presume to lay once more befor y^r^ Lôpps: y^e^ miserable condition that M^r^ Nanfan y^e^ late Lieu^t^ Gov^r^ of New York is now in, w^ch^ he himselfe has by sev^ll^ lrês begg'd yo^r^ Lopps: consideracôn of, & w^ch^ he suffers by having supported by his creditt Her Ma^ties^ forces in that Province, & thereby prevented their desertion or mutiny, w^th^ y^e^ very ill consequences w^ch^ might have foll^d^.

Yo^r^ Lopps: know very well, & it is even owned by my L^d^ Cornbury & his Agents, that he has subsisted y^e^ s^d^ forces for 4 months & a halfe more then I have rec^d^ subsistence for here, w^ch^ he did upon y^e^ credit of bills of Exchê^r^. drawn upon me, for y^e^ sev^ll^ sums he has actually issued there for her Ma^ties^ Service; y^e^ w^ch^ bills not meeting w^th^ paym^t^ here, are long ago gone back protested, & some of y^e^ merchants concern'd have upon that acco^t^ layd him up in jayl, where he has continued, to y^e^ prejudice of his reputacôn & to y^e^ ruine of his affairs, ever since y^e^ 19^th^ of May last & this after he had been forcibly detain'd in y^e^ Province for near a year before.

My Lord Cornbury's Agents having rec^d^ y^e^ sûbce. for y^e^ s^d^ 4 months & a halfe, I humbly conceive it just y^t^ y^e^ like sum should be recoup'd out of y^e^ growing sûbce; w^ch^ may be done w^th^ out any prejudice to Her Ma^ties^ service; y^e^ same being to be made good by y^e^ s^d^ four months & a halfe sûbce. w^ch^ has been for this long while in his Lopp's: hands, there being no objection to be made to this, but what I have fully answerd in sev^ll^ papers layd before yo^r^ Lopps: to w^ch^ I humbly referr my selfe.

I have orders too from M^r^ Nanfan to desire y^e^ favo^r^ of yo^r^ Lopp's representacôn to her Ma^ty^ for her Ma^ties^ gracious proteccôn & commands to come to England, in order to answer here, where he knows he shall meet w^th^ nothing but justice, any objeccôn w^ch^ may be made to his administracôn.

The unusuall hardships he is under has so much impair'd his health that, as I am credibly inform'd & I can make it good to yo^r^ Lopps: his life in all probability will be soon in danger if yo^r^ Lopps goodness dont interpose in his behalfe & obtain a speedy reliefe for him.

I humbly submit this to yo^r^ Lopps: consideracôn, & am with y^e^ greatest respect imaginable, My Lords,

Your Lôpps most humble
& most obedient Serv^t^
J. Champante.

Jan^y^ 20^th^ 170¾.

(Indorsed)

Rec^d^ } Feb. 1^st^ 170¾.
Read }

John Chamberlayn, Esq., to the Lords of Trade.

[New-York Entries, B. F. 33.]

To the Right Hon^ble^ the Lords Commiss^rs^ for Trade and Plantations

May it please Your Lordships,

Having attempted several times to wait upon your Hon^ble^ Board without meeting a favourable opportunity, I am bold to take this method of acquainting your Lord^pps^, by order of the Society for promoting the Gospell in foreign parts, what measures have been taken by that body towards sending Missionaries among the Indians of the Five Nations bordering on New Yorke and in consequence of the representation made by your Lord^pps^ to the Queen upon that head, your Lord^pps^ must be pleased to know then, that the Society (not without a great deal of pains and time spent to that purpose) have found out two Reverend Divines, M^r^ Smith and M^r^ Moor,[1] whom they think well qualified for that Errand, that they have agreed to allow the said Gentlemen 100£ per annum each, over and above which they will have 20£ a piece to buy them utensils for the little Caban they are supposed to have among the Indians and 10 or 15£ for books ettc. Now, My Lords, I am to tell you that the Society having done so much (and indeed tis too much considering their small and intirely precarious stock) they would gladly know what assistance they may expect in an affaire, that does at least as much concerne the State as the Church (vid: Lord Cornbury's letters ettc) either at home by your Lord^pps^ kind representation of the matter to Her Majesty, or abroad from the Govern^t^ of New Yorke; especially, My Lords, seeing that there remains so much to be done still; for M^r^ Livingston Secretary of the Indian affaires of the abovementioned Govern^t^ acquaints us that four more Missionaries are stil wanting, that is to say three more for the Five Nations and one for the River Indians, tho' I am told, My Lords, that these last are no longer formidable to us, they having been almost consumed in former wars; but this is submitted to your Lord^pps^. The said Gent: says moreover that each of our Missionaries must have distinct houses, which for fear of the insults of drunken Indians ettc must be Pallisaded; that the cost of such houses

[1] Rev. Thoroughgood Moor was a native of England. He arrived in the Autumn of 1704, in New-York, whence he proceeded to Albany and at once entered into communication with the Mohawks. He was kept longer than he expected from visiting these people "by a great fall of snow," but succeeded eventually in reaching their Castle. As they were not then prepared to receive him, he returned to Albany where he was detained "near a twelvemonth," by the hope of entering on his Mission. His efforts, however, were rendered nugatory by the Fur traders of the place, and he returned to New-York in 1705. The Rev. Mr. Talbot, of Burlington, N. J., being called to England, at the time, on business, appointed Mr. Moor to serve his church during his absence, who ministered some time in Hopewell, which never had a settled minister, though a church had been built there as early as 1700 or 1702. Mr. Moor also began, about this time, a church at Bristol, Pa. During his sojourn at Burlington, he became so scandalized at the conduct of Lieut. Governor Ingoldsby, that he refused to admit him to the Lord's Supper, and was cast into jail in consequence. Having contrived to escape, he fled, in company with the Rev. Mr. Brookes of Elizabethtown, to Boston, where he met Mr. Talbot, then on his return from England. "I was glad to see them," writes the latter, "but much surprised to meet them both here. They told me what hardships they met from the governors of New-York and Jersey, and how they escaped out of their hands; I was for converting them back again, telling them the dangers of the sea and the enemy, but poor Thorogood said he had rather be taken into France than into the Fort at New-York; and, if they were sunk in the Sea, they did not doubt but God would receive them, since they were persecuted for righteousness, and doing their duty to the best of their knowledge." These ill treated gentlemen sailed from Marblehead in November, 1707, and literally "sunk in the sea." The vessel in which they were passengers foundered during the voyage, and neither they nor any of the crew, or any wreck of the ship, were ever heard of after. Mr. Moor was much lamented by those who knew him, being (says Mr. Bass) a person of morals, meekness, piety and charity. Humphreys' *Account of the Society for the Propagation of the Gospel*, 287–291; *Collections of the Protestant Episcopal Society for* 1851, 57, 60, 63, 64, 67, 70; *New-York Documentary History*, III. — Ed.

will be 60£ or 80£ each; that they can not subsist without two servants to attend each Minister; That there must be presents for the Indians and several other items which swell the accout considerably, and which are hardly to be compast by any but a Royal purse, at least not by ours, which has exerted its utmost efforts

I must beg your Lord^{pps} pardon for taking up so much of your time, but the weightiness of the matter as well as the faithful discharge of my duty must apologize for my being so full and particular.

I humbly submit it to your Lord^{pps} great wisdome and remain,

Westminster My Lords. ettc.

1. Feb^{r} 170$\frac{3}{4}$. JOHN CHAMBERLAYNE.[1]

P. S. The Society is to meet next Friday morning at the Lords A: Bp^{s} library in S^{t} Martins, where M^{r} Livingston and the two Missionaries will attend &c. May I humbly hope to receive your Lord^{pps} Commands by that time? and if it were not too great presumption, I would beg that I might have it in writing, that your Lord^{pps} meaning may be faithfully represented in your own words.

Secretary Popple to Mr. Chamberlayne.

[New-York Entries, B. F. 86.]

Sir,

Your letter of the 1st Inst: has been laid before the Lords Commss^{rs} for Trade and Plantat^{ns}, in answer whereunto they have ordered me to acquaint you that her Majesty does allow £20 a piece to all Ministers going to the Plantations for their passage; that they are of opinion it will be a great incouragement to such Ministers if they can be assured of a Benefice in England after so many years service (as may be thought reasonable) among the Indians; that there being a Society for Evangelizing Indians in New England, which has a considerable Revenue by gifts from particular persons, Their Lord^{pps} think it would be of some service if your Society could inform themselves how such sums of money as have been given for that and have been imployed. In the mean time their Lord^{pps} will take care to recommend the said Ministers to the Lord Cornbury Governour of New Yorke.

I am ettc. W. P.

Whitehall Feb^{r} 3^{d} 170$\frac{3}{4}$.

To John Chamberlayne Esq.

[1] Mr. Chamberlayne was Secretary to the Society for the Propagation of the Gospel in Foreign parts. — ED.

Lords of Trade to Lord Cornbury.

[New-York Entries, B. F. 88.]

To the Right Hon^ble^ the Lord Cornbury Governour of New Yorke

My Lord,

Since ours of the 29^th^ of July last, a duplicate whereof is here inclosed, We have received several letters from Your Lordship viz^t^ of the 30^th^ of June 12^th^ of July the 5. August 9. of Sept^r^ and 7. of October last, relating to New Yorke and one of the 9. September relating to your Govern^t^ of New Jersey, which we shall answer particularly by itself.

Your two letters of the 30th June being duplicates and originals not received, several papers referred to therein are wanting, a list whereof is here inclosed. Upon this occasion we must advise your Lord^p^ that with the duplicates of your letters you send duplicates of the papers therein referred to; the necessity whereof you will perceive by our want of the inventory of stores of war remaining, which as your Lord^p^ observes, would have shewn us the ill condition that New Yorke is in, in case of an attempt of the Enemy.

As to those particulars your Lordship writes are wanting for the use of the Four Company's, your Lord^p's^ Agent M^r^ Thrale has received Her Majesty's orders to provide the same, the value thereof to be deducted out of the pay of those Company's, according to the practice of the Army, which will oblige them to be more careful of their arms hereafter

We shall represent to Her Majesty your Lord^p's^ care in putting in repair several Fortifications at New Yorke, and are glad to perceive the Assembly have contributed 1500£ towards the raising two Batteries in the Narrows. If your Lord^p^ have got upon one of the said Batteries the last summer as you expected, your Lord^ps^ management therein will be an argument to induce the Assembly to grant the remaining of what is necessary to accomplish that work. But we must upon this occasion advise your Lord^p^ to straighten your expenses as much as possible in reference to Fortifications and stores of War, for that in this time of war and extraordinary charges incumbent on the Govern^t^ here, it will be very difficult to obtain any provision of stores from hence without paying for them.

We expect according to your Lord^p's^ promise an abstract of the number of Inhabitants in the province of New Yorke.

We are laying before Her Majesty what your Lord^p^ writes in relation to illegal Trade in Connecticut and Rhode Island. Their harbouring of run away Seamen, Soldiers and Servants, and their refusing to comply with the Quota.

We observe your Lord^p's^ care in keeping out Scouts and Spies to gett intelligence of the designs of the French, and the advantage the province has received thereby, we doubt not will have induced the Assembly to grant a sufficient detachment for that and other services.

Your Lord^p's^ proposals for conquering Canada lye before Her Majesty.

We have under consideration the several Acts received with your Lord^p's^ letter of the 12^th^ July last and expect, according to Your Lord^p's^ promise, an account of the inconveniencies feared from the 5^th^ of the said Acts, and therefore shall suspend our determination thereupon, till we hear further from your Lord^p^.

We also expect Your Lord^p's^ particular answer, to what we writ you the 26^th^ January 170$\frac{2}{3}$ upon a list of Acts past during the Administr^n^ of the late Earle of Bellomont and Capt^n^ Nanfan, not being able to report upon those Acts, till we have your said answer, which we therefore desire may be no longer delayed.

We hope by your Lord$^{p's}$ management of the Indians at your meeting of them in September last, they will have been persuaded to send away the French priests that were amongst them, & to renew and confirm their Treaties of Alliance and Friendship with her Majesty.

We send you here inclosed two letters from the Earl of Nottingham by which you will see how you are to Govern yourself in this conjecture in relation to the Spaniards. As also a letter from Her Majesty with Her Majesty's declaration and order as you find it printed in the inclosed Gazette relating to the Officers of the Admiralty and prizes for Your Lord$^{p's}$ directions in these particulars.

Upon our representation to Her Majesty relating to the want of Protestant Ministers to reside amongst the Five Nations of Indians, two, have been appointed for that service, and we hope they may be ready to sail with this Convoy.

M^{r} Champante having represented to us by memorials, copies whereof are here inclosed, that Capt^{n} Nanfan lyes under great hardships by reason of Arrests for the non-payment of bills, he had drawn for the money disbursed by him in subsisting the Soldiers four months and a half longer than subsistance has been received for them here, and that Your Lop^{s} Agent has in his hands the money which should have answered those bills; and not having received from your Lord^{p} any account of this matter, We sent for M^{r} Thrale, who communicated to us an extract of your Lord$^{p's}$ letter to him of the 12th of September last relating thereunto, upon which we observe that tho' your Lord^{p} may charge Capt^{n} Nanfan as an accountant with the whole pay of the Four Companies, yet if you are satisfyed, that neither he nor his agent have received the whole, he ought not to be detained, especially if he have given security, as it is alleged in 5000£ to answer the Queen's demands.

We are further to acquaint your Lord^{p} that we have received a letter from Capt^{n} Nanfan of the 11th of October last, wherein he acquaints us that his accounts are settled and allowed right, with a great Balance due to him; and yet he is kept in Goal for the foresaid bills, altho' your Lord^{p} acknowledges your Agent has received the money here, which, he says, ought to be applyed to the discharge of those Bills, and that in case that be not speedily done, he and his family will be ruined. Whereupon we observe to your Lord^{p} that if his Allegations be true, we think it is a great hardship, and therefore such measures ought to be taken as are aggreable to Justice. But if on the other hand, what he alleges be not true, then your Lord^{p} ought to demand of him such an account as he will stand by, and send us a copy thereof with your observations thereupon, and your reasons against allowing it if you have any.

As to what your Lord^{p} writes relating to the Lady Bellomont's accounts, we desire your Lord^{p} to use your utmost endevours to settle the same, with the concurrence and approbation of Her Ladyship's Agents; but in case you shall not be able to effect it, we desire you to send us however a copy of the account they produce, with your Lordship's objections thereunto, as also a copy of her Lad^{shps} account as stated by your Lord^{p}. And in order to inable your Lord^{p} the better to settle the said accounts, as also those of Capt^{n} Nanfan, if it be not already done, we send your Lord^{p} the copy of the account we received from the Earle of Renelaghs Office of the money paid to M^{r} Champantè, from August 1697 to 2nd Jan^{y} 170½ on Account of the Four Company's at New Yorke.

We are—My Lord—&c.

Rob^{t} Cecil
W^{m} Blathwayt
John Pollexfen
Matt: Prior.

Whitehall March the 16th 170$\frac{3}{4}$

Countess of Bellomont to the Lords of Trade.

[New-York Papers, V. W. X. W. 34.]

To the R^t Hon^ble y^e Lords Com^rs for Trade and for the Plantations.

The humble Petition of Katherine Countesse of Bellomont.

Sheweth:

That yo^r Pet^r finds by sev^ll lrês from y^e persons concern'd for her in y^e stating of her acco^ts at New York, that tho' they have made all proper applicacôns for dispatch, y^e s^d acc^ts are yet unsettled, y^e persons lately appointed by y^e L^d Cornbury having onely rais'd some objeccôns to y^e form of them, & refusing to proceed upon them.

That yo^r Pet^r will endeavo^r by y^e next conveyance to that Province, to send such instruccôns to her Agents as may fully obviate all objeccôns w^ch can be made either to y^e form or matter of her acc^ts but that in y^e mean while by these delays Her Ma^ties gracious orders for suspending prosecucôn against her bayl are almost expired, & they consequently in danger to be ruin'd unless yo^r Pet^r may obtein y^e like favo^r for a further time

Yo^r Pet^r therefore humbly hopes that yo^r Lopps: will have y^e goodness to represent this mrê so to her Ma^ty that yo^r Pet^rs bail may be secur'd from any prosecucôn for 6 months after y^e expiracôn of the last orders

& yo^r Pet^r as in duty bound shall ever pray &^c

"Rec^d
"Read } 21^st March 170$\frac{3}{4}$"

Lords of Trade to Lord Cornbury.

[New-York Entries, B. F. 15.]

To the Right Hon^ble the Lord Cornbury Governour of New Yorke.

My Lord.

Since our letter of the 17^th of March we have received one from your Lord^p of the 18^th of December last promising us a particular acc^t of the affairs of New Jersey, which we daily expect.

In the mean time we must remind your Lord^p of what we writ you the 26^th of January 170$\frac{3}{4}$ upon the Acts past at New Yorke during the Earl of Bellomont and Capt^n Nanfan's Govern^t to which it is necessary your Lord^p's return us speedy answer.

M^r Thrale your late agent having presented to us a memorial desiring a supply of Stores of War for New York, we desire Your Lord^p in order to the better enabling us to lay the same before Her Majesty to give us a particular account of the species and quantities of what is wanting and of the places for which these stores are desired.

We are—&c

Rob^t Cecil
Ph: Meadows
W^m Blathwayt
John Pollexfen
Matt: Prior

Whitehall May the 23^rd 1704.

Colonel Quary to the Lords of Trade.

[Plantations General Entries, Vol. XXXVII., (D.) 1.]

To the Right Hon^ble^ the Lords Commissioners for Trade and Plantations.

Right Hon^ble^

My last of the 28 of February by way of Boston in which I give your Lordships an account that the Lieutenant Governor Evans[1] arrived in Pensylvania to the General satisfaction of the Country having brought with him the Queens Royal approbation he called an Assembly to sett the 10 of April in order to it, writs were issued out to the three lower Counties, M^r^ Penns Province would obey no writ but were resolved to stand firm to the late Charter granted by M^r^ Penn just at his going for England by which they have power to Assemble themselves when and as often as they please, with many other such extravagant priviledges, as never was granted, to any people before, nor had thus been granted, but that M^r^ Penn thought then that the Parliament had resumed his Grant to the Crown, which made him so liberall thó now he repents and wants a fair occasion to damn his own Charter, however Colonel Evans was willing to try if he could reconcile or accommodate these confusions, in order to it, appointed the members of the three Low Counties to meet at Philadelphia which they did and after all endeavours used to accomôdate matters, nothing would prevaile with the Quakers upon the former union; they mett upon the Square, The Lower Counties were equal in number with the upper, But now by M^r^ Penns New Charter the upper Counties have more than double the numbers of Representatives than the Lower Counties have, so that if there had been nothing else, it is impossible for them to meet and joine upon such terms, after some time spent to no purpose; the Gentlemen of the Lower Counties finding themselves thrown off by the Quakers, and that the must shift for themselves, went back to their own Country, and the Lieutenant Governor: hath ordered them to meet him at New Castle, to see what can be done with them singly in order I suppose for the security of the Country, which lyes so open and exposed to an enemy this war time. But I cannot see how it is possible for them considering their circumstances to undergoe the great charge of it themselves, besides they will be very unwilling to undertake it at their own cost. Since the Quakers of the upper County will reap the greatest benefitt, and yet will not contribute any thing towards their own security and defence.

And now may it please your Lordships since the Quakers have thrown off the three Lower Counties I hope your Lordships will think it high time, that her Majesty be graciously please to take those poore people under her imêdiate protection.

I am very confident that M^r^ Penns proud Province will quickly repent their throwing off the Lower Counties, which will quite ruine their Trade nor can they subsist without being supplied from them; besides in case the Lower Counties be made a Province of itself, or joined to any other Government then the Tobacco, which is all made there, cannot by law be carryed to them without first paying the penny p^r^ pound Duty, which will ruine Pensylvania and very much improve the Trade of the Lower Counties.

I am obliged to acquaint your Lordships that besides the two thousand pounds which the Assembly gave M^r^ Penn before he went hence, and the Excise on beer, wine &^c^ he had managed

[1] John Evans was Deputy Governor of Pennsylvania from 4th of February, 1704, to the 2d of February, 1709. *Pennsylvania Colonial Records*, II., 115, 427. So unpopular was he at the close of his administration that the Assembly passed, almost before his face and whilst still a resident among them, an unanimous vote of thanks to Mr. Penn on his being removed. *Franklin's Historical Review*, 71. — Ed.

the people so with his spacious pretences, that he gott a subscription from all the severall meetings throughout the whole Province, which by a very modest computation amounts to £2500, one of the originall subscriptions and an originall Receit from his Secretary and Receiver Generall to the Collector; I have in my possession, a copy of which is here inclosed by which your Lordships will see the pretences he uses to impose upon the poor people, and to gain his point, so that by these ways together with the Quit rents, Supernumeraryland, and the constant sale of land, the Country is quite drained of all the money, there is scarce enough left to goe to markett.

I gave your Lordships a full account of the severall fatall attaques made by the Indians and French on the out settlements of New England, and also that a Party about 300 Indians headed by about 20 or 30 French, had fallen into the Proprietary Government of Connecticutt, and cut off a place called Dearfeild,[1] they killed 52 of the inhabitants and carried away with them 80 prisoners the Indians and French had fifty of their men killed in this Action, their Cheif Officer was one Monsieur Marcure,[2] who formerly cut off Schenecteda we must expect frequent misfortunes of this nature, in one Province or another, where the Enemy please to fall on us, nor is there any other effectual way to prevent these mischeifs, but by cutting off Canada which may be done with ease if her Majesty would but resolve on it, nothing else can secure her subjects in any of her Provinces or prevent the French from being in time masters of the Main, but I have so often troubled your Lordships on this subject and have been so large on it that I see no room to add more.

His Excellency Colonel Dudley hath disolved the Assembly of that Province the 21 day of April, I do much fear that he will change for the worse.

The Assembly at New York are now sitting, I hope before this fleet sailes to give your Lordships an account of what they have done, his Excellency My Lord Cornbury designs as soon as they rise to hasten up to Albany to settle the Frontiers, and in order to it he hath adjourned the Assembly of the Jerseys from the 20 of May to the 20 of June, at which time I resolve to attend his Excellency at Burlington where the Assembly are to sitt; I need not tell your Lordships of how great a consequence the effectual securing of the five Nations, and the frontiers of Albany is to her Majesty's service and the General good, not only of that Province but even of all her Majesty's Governments on the Main. I am very confident that my Lord Cornbury will do all that is in his power, but I fear it is impossible for the people of that Province under their present circumstances to support the charge of it. I doe very well know that the inhabitants of New York are suppose to be very rich people, but in reality they are not, its true they had formerly a very great trade and gott abundance of money the last war, when we had a Trade with the Spaniards, besides they had a very proffitable thô an unlawfull Trade to and from Madagascar besides the advantage of severall Privateers and Pirates bringing great quantities of money and goods, amongst them, all which is gone to pay their Creditors in England and have very little left amongst them, they have had very great losses this war both going and coming from England, and besides vast losses in the West Indies, their Trade is in effect quite gon the produce of the Country is of little or noe value, nor is

[1] Deerfield is in Massachusetts. Compare post p. 1099. A full account of its destruction will be found in *Williams' Redeemed Captive;* in *Penhallow's Indian Wars, Collections of New Hampshire Historical Society*, I., 29; and in *Hutchinson's History of Massachusetts*, 1795, II., 127. — Ed.

[2] Hertel de Rouville commanded the expedition against Deerfield, according to the above authorities, and to *Charlevoix' Histoire de la Nouvelle France*, 4to., II., 290. Mons. de Maricourt was most probably dead at this time. *Charlevoix*, II., 293. *Paris MS. Documents*, VI., 155. — Ed.

there any markett for it any where so that on the whole matter, I do assure your Lordships that their circumstances are very low, and yet the charge of the Government is much higher than it used to be, and their neighbours less able to supply them than ever as I will breifly lay before your Lordships.

And first as to their Northern Neighbours, they have enough to do in defending themselves and their Frontiers from the Enemy, who are so frequently assaulted by them, of which there are soe many fatall instances, so that there can be but very little hopes of assistance from any of them; We must then consider the severall Governments to the Southward and these present circumstances, I will begin with the Jersey, who are able to supply their Quota of men, and subsist them, thô mony is very scarce amongst them, yet that want may be answered by the produce of the Country, his Excellency my Lord Cornbury very well knows how to manage that point, but there is a fatall obsticle which I fear will ruine all the hopes of being supply'd with men from hence, which is this, when the people of Jersey, find that their next neighbour of Pennsylvania do neither supply the Quota in men or money they will think it very hard that they must be under worse circumstances under her Majestys Government, than their fellow subjects are under a Proprietor, but this is not the worst for those that are sent on this Expedition are generally single men, and rather than fare worse than their next neighbours will leave the Country and go to Pennsylvania, there being only a river that parts the two Provinces by which means her Majestys Service will be defeated her Province depopulated, and M^r^ Penns country filled with her subjects, who at present are useless to her; This I can assure your Lordships will be the consequence, and is already in every mans mouth, if we cannot live and enjoy the same quiet and priviledge as they do in Pennsylvania, we will goe and live there and turne Quakers, that we may be the better entituled to their priviledges, this will be the certaine consequence.

The next Province is that of Pennsylvania from whence I am very well assured they will give noe supply of men or money so long as they remain under their present constitution of Government, so that instead of being an advantage to the Crown or contributing in the least to the Security or defence of her Majestys Provinces or themselves, they will rather contribute their endeavours to hinder others, I have in my former said enough on this head, soe will add noe more but refere to your Lordships due consideration.

The next I come to is the three Lower Counties if we consider them as they are now thrown off by the Quakers of Pennsylvania, and are independent nothing can be expected from them more then the settling a Militia amongst them, and putting them on the most proper methods for their own defence, and in case they find that doth bear hard upon them, then they will have recourse to the same remedy that the people of the Jersey have, and remove themselves to Pennsylvania, which still shews the necessity of that Province being under some other regulation.

I am now come to her Majesty's Province of Maryland, in the first place give me leave to acquaint your Lordships that his Excellency Collonel Seymore arrived there the 11 of Aprill, I was there to attend him, he called his Councill where he and they were qualified by taking the Oaths appointed by law, and his Commission published, the Assembly which were called, and in being in the last reigne, were then on adjournment his Excellency thought fitt to honor them to meet the 24 April in order to renew the Act for laying three pence upon every Hogg^shd^ of Tobacco, which the Assembly had formerly given to Coll: Blakstone but was expired upon his quitting the Government, had his Excellency stayed till a new Assembly was called he must have lost the benefit of that Duty upon all the Tobacco that goes home in this fleet,

which is very considerable the Assembly accordingly mett renewed the Act and they were dissolved, his Excellencys Speech to them with their Adress, and what else was done in Councill and Assembly goes home with this, to which I refer, there is now writts for calling a new Assembly to meet the I now return to my former subject, the Assembly of Maryland, did formerly give somthing toward the support of Albany, but there is not a penny of it paid to this day and they are in hopes by some way or other to evade the payment of it; and I have very great ground to doubt whether they will ever be prevailed with to give any more for they are very apprehensive of their own danger from the Indians and French especially since the cutting off the Town of Deartield I beleive your Lordships may not allow this to be a good reason, but rather think they ought to prevent the approach of their danger so near them by their assistance in supporting Albany However when your Lordships are pleased to consider their other circumstances more especially in relation to Trade, and the effects of it hath on them, I am sure you will give grains of allowance to them but since that doth equally effect and concern them and Virginia a like, and is of very great consequence, I will lay the true state of that matter fully and plainly before your Lordships.

In the first place I must insert this great truth that no trade belonging to England is worse managed than the Tobaco Trade, and therefore do wish that there were a regulation of it, I am sure it would be for the interest of her Majesty the Planter and the Merchant too, but as it is managed it is injurious to all, I cannot give a greater instance or demonstration of it than the last Fleet under the Convoy of the Guernsey and Oxford Men of War, known here by the name of the Smoaking Fleet, it hath done more damage to Trade and the interest of these Provinces than all that were concerned in it were worth, it hath lowered the price of Tobacco both at home and at all foreign marketts almost to nothing, I mean the Aronoca Tobacco it hath in all respects run counter to all the reason and interest of Trade, and yet this is not all the mischief it hath done for it hath entailed such a feud & misunderstanding betwixt the inhabitants that will require some time to reconcile some few that did not see into the reason of Trade were for encouraging them, but the most considering men that saw further, and knew the consequence of such irregular methods gave them all discouragement they could.

And now may it please your Lordships to sett this matter in a true light give me leave to observe to you that these Provinces produce but one Crop of Tobacco in a year that one Fleet of ships may carry home all this Tobacco under a good Convoy this would settle and fix the price of Tobacco here in this Country in England and all foreign Marketts, then all persons concerned in that commodity would buy briskly being very well assured that noe other supply would come into the kingdom till the next years fleet, whereas the late distructive, and irregular way of having severall fleets to carry home this Tobacco ruines Trade, discourages the buyer and lowers the price to the ruin of all persons concerned in that Comôdity for when an after fleet is expected they always depend on ten times a greater quantity than really there is, and so deferr buying perhaps their was never such an instance of [this as] from severall fleets that went from hence in fourteen months time, which hath given such a fatall blow to trade that will hardly be retrived by which means severall thousands of Hoggs^{ds} of Aronoca Tobacco were not worth to the owner one penny some left on the Masters of the ships hand for the freight, and had not some worthy eminent merchant, who had a true honor for Trade and the interest of these Countries stood in the gap and supported it in that juncture of time, it would have been far worse, however it had this fatall effect that the Tobacco yeilding little or nothing the Planters Bills of exchange were returned protested to their great damage not to be retrived

in a long time, and not only to the disappointment but utter ruin of many in the Course of Trade, nor can they ever hope to recover themselves, but by the advance of Tobacco which must be by the right regulation of that Trade, it must needs be very obvious to all considering men; That the present warr hath cutt us out of the Trade of Spain, France, Flanders and part of the Baltick which took off at least 20,000 Hogg^{ds} of Tobacco every year, and that of the most ordinaries sort too. Whereas now the greatest foreign Markett is Holland which takes of none but our fine bright Aronoca which is but little in comparison of the browner sort, and it is too evident that we have cloged that Markett I must observe to your Lordships, that these several Fleets so different in their interest have very much disappointed the Country of such supply of goods as should answer their necessity's, the smokers fleet thinking to take the advantage of the Planters would not sell their goods, but at a very extravagant Price which they would not give depending on the Grand Fleets cõming in the fall, and perhaps they concluding that the Smokers Fleet had pretty well supply'd the Country they slacken'd their hand and sent not so much goods as else they would have done, so that between them both the Country is disappointed, and in great want of goods especially if the Fleet should not be here again before Christmas, that which contributes more to this disappointment, is the loss of severall ships of the Fleet who had a great quantity of goods to a great value on board them, which with the many ships lost going home is another misfortune that these Countries grown under.

And now since that is past cannot be recalled, I will with your Lordships favour propose the remedy of all these evills, for the future.

In the first place, as there is but one crop of Tobacco in a year, so there may be but one sufficient Fleet to carry home the Tobacco under a good convoy, that no ships be permitted to sail, but what goes in the Fleet under convoy, the Assembly of this Province having by sad experience found the ill effects of the late confused and distructive method of Trade, have upon due consideration proposed the properest time for the fleet to sail from England towards this place, and also the fittest time for their going hence, they have given their reasons for their opinion which I hope your Lordships will approve of since they tend to her Maj^{ty} service, the interest of these Provinces, and the generall good and advancement of Trade, they propose that the fleet doe sayl from England, some time in September which in all probability will bring them hither in November, by which time great part of Tobacco will be shipt, and packed so that by the time they have delivered their goods, and gott their ships in order the Tobacco may be ready for them to take on board, Secondly by the fleets being on our Coasts in November, is before the Northwest winds set in, so they will in all likelyhood meet with smooth short passages whereas if they were come on these coasts in the dead of the winter, they will meet with very hard violent weather such as may force them to bear away to the West Indies, by which they hazard the loss of their ships by the Enemy, or the loss of the mens lives for want of provisions of which we have had to many instances particularly this year, Thirdly by being here in November there will be time enough all the winter for the Merchants to sell their goods, and purchase Tobacco besides by being here at that time, it will be very seasonable for the Planters to furnish themselves with Cloathing for their servants and slaves before the Winter setts in, the want of which this year proved a very great damage. Fourthly by the Fleets being here in November, they may be ready to goe hence in April or May at furthest, by which they will prevent the ships being damage by the worme, and secure the men from those sicknesses which generally attend them in the heat of Summer.

Fifthly that by the Fleets going home in Summer they will have good weather, and moderate winds, so that if the have good convoys they may be kept together and carryed safe home, the contrary of which by going home in the Winter was sadly experienced by the last Fleet.

That after the Fleet is sail'd there be an imbargoe on all ships till the next years Fleet, this regulation would reduce Trade into its proper Channell, and by a right understanding betwixt the Merchants, they may agree on such methods as would fix the Markett of Tobacco both at home and abroad and would tend to her Majestys interest to the great benefit of these Provinces and to Trade in generall

I am obliged to take notice of some difficulties that will arise betwixt London and all the Northwest ports in respect of time place and manner of Joyning the Fleet, and so having the benefit of the Convoy, I cannot think but of these two ways that all the ships in Bristoll Channell and all the severall Ports to the Northward must make up a fleet under a particular Convoy appointed for them, and so proceed on their voyage, or secondly that a time [be] fixed for all those ships to be ready and that under a good Convoy this be brought to joyne the Fleet in Falmouth or some other Port in the Channell and so proceed all together, either of these ways may doe, for I do not lay any great Stress on the outward bound Voyage, further than that they doe as near as possible sail at the same time from England, the main thing lyes on the homeward bound Fleet, that they do all sail out of the Capes together and make up one Fleet and that a particular part of the Convoy be ordered to see all the ships into the Ports that are not bound into the Channell If a small runner were dispatched away as soon as the Fleet is got clear of the Capes, it may be of great service by giving notice of their coming that so (during the war) there may be ships of war ordered to meet the Fleet to secure them in the greatest danger being about 60 or 80 Leagues from the Lands end; I need not tell your Lordships the necessity of having a very good Convoy to secure this Fleet home since it is of so great a concern to Her Majesty and for the same reason noe single ships ought to be suffered to run since it lessens the Queens revenue, feeds the Enemy, encourages Privateers, ruins the Planter makes a noyes and perhaps feeds a Markett in word it cannot be for a publick good.

I am obliged to mind your Lordships that it cannot be for her Majesty's Service, that the Comodores orders should confine him to certain fixed days of sailing hence with Fleet, it being impossible for his Royall Highness at so great a distance to forsee the many and great accidents that may fall out and very often doth happen so that I do most humbly propose that some what may be left to the Government and if your Lordships think fit that the Comodore, may be joyned with them, this may prevent many inconveniences & be of great satisfaction to the Country

And now may it please your Lordships that I have laid before you the true state of the Provinces of Virginia and Maryland, in relation to all the circumstances of their Trade, I begg leave most humbly to propose to your Lordships whether it may not be advisable considering the present miserable and unhappy condition of these Provinces by reason of their great losses, the lowness of the Markett which makes ordinary Tobacco of no value, and the little prospect they have, that what they send now will turn to a better account: I say considering all that hath been said on this subject Whether your Lordships may not think fit to suspend for the present the pressing them to pay their Quota towards the supply and support of Albany till they have a little recovered themselves to a more prosperous condition, which wholly depends on the regulation, and good management of the Tobacco Trade, such a gracious and

favourable consideration in her Majesty will make the people of these provinces easy & chearfull under their present unhappy circumstances and make them when they are able to contribute far more willing and longer then what is now expected from them, all which is most humbly submitted to your Lordships wisdome, from what I have said I hope your Lordships will not conclude, that I am not in the least changed from my former declared opinion (i e) that the security of all the Provinces on the Maine doth depend on the effectuall defence of Albany and the Frontiers together with securing the five Nations of Indians to the English interest, that the Province of New York are not able to defray the charge of it, that its not reasonable that her Majesty should be at the expence of it, especially whilst she is ingaged in so chargable a War, that it ought to be defrayed by the severall Governments that reap the benefitt of it. that no better method can be found than what hath been agreed upon by your Lordships long since the Quota's in proportion to the circumstances of the severall Provinces, but the misserable effects of this present war hath very very much altered the state of the Tobacco Plantations, which may make it adviseable to suspend their payment of it for some time, till they can recover themselves which is all I have to say on this subject, but before I conclude I am obliged to acquaint your Lordships that the Assembly of this Province mett the 20 of April and sate till the 12 day of May & were then prorogued to the 19 of October next during their sitting they past severall good Acts the account of them with the Journals and proceeding of the Councill and Assembly, your Lordships will receive with this, so must referr to them; I have little more to add but to assure you that the factious uneasy spirit is contracted into a very narrow compass the peoples eyes are open to see that those men had no other ground or motive for what the did but their malice and revenge, for not being continued in all places of honor and profitt it is generally thought by [many] that M^{r} Ben: Harrison and the rest of his gang have made their last effort this session: the occasion was this, the Act for laying an imposition on liquors, Servants and Negroes appropriated to the building of the Capitall was expired, the inside work not being quite finished the Assembly brought in a Bill to revive the Act for one year longer and thô this Act noeways concerned her Majesty or the Governor, but purely for the service of the Country yet this Gentleman with his few factious Friends used the utmost of their endeavours to have thrown out this Bill, which did so effectually show the Assembly and the whole Country the true temper of them, that they will never be abuse[d] or imposed upon by them more which proved to be avery happy accident, for after this they could gain noe one point but all things went on very smoothly in the Assembly which cannot be better demonstrated then by the address and Journall of the house of Burgesses to which I refer; the great noyse and clamour which was so improved in the Country of those few uneasy men is now quite blown over, all these malicious storys of his Excellency being sent for home by her Majesty and new Governor sent in his room which they endeavoured to impose on the people are now at an end

I am very unwilling to trespass so far on your Lordships time, but must not omit to acquaint you, that the late expedition in South Carolina under the Conduct of Colonel James Moore[1] against the Apalacy Indians was a brave action and will be attended with this good

[1]Colonel James Moore of Berkley county, which comprised the country immediately around Charleston, was member of the Council of South Carolina as early as 1683 and down to 1700, when on the death of Gov. Blake he was elected Governor by "the Lords Deputies." In 1702, he put himself at the head of an expedition against St. Augustine, in Florida, an account of which was published in England in 1711, under the title of "The Successes of the English in America, by the March of Colonel Moore, Governor of Carolina, and his taking St. Augustine." *Bib. Am.*, 114. He was shortly after superceded in the government by Sir Nathaniel Johnson, but retained his seat in the Council and was appointed Attorney, and Receiver-General

consequence to secure that Province from any sudden attempt of the Spanyards or Indians against them by land, this Nation of Indians being the Cheif that the Spainards depended on for that design Colonel Moore marched with a great body of our Friendly Indians and about 50 Englishmen they killed a great number of the Enemy brought a great number of them prisoners, besides 1300 that came voluntary with them to live under the protection of the English Government.

I hope your Lordships will assist that Government, with a Man of War and a Bomb Ketch in order to taking S^t^ Augustine which may with ease be done, and will be of a vast consequence by a totall removal of the Spaniards and French from those Southern parts, and bring all the Indians under the English Government.

As for Providence it lyes still ruin'd and depopulated, and so is like to continue, unless her Majesty will please to take it into her own hand and protection then it would be soon settled but noe number of people will ever venture to settle again under the Proprietors, It's pitty such a place should be deserted, I have said a great deal concerning this Island in a former memorial to which I refer, which is all I will presume to add at present, but begg leave to subscribe myself

Right Hon^ble^
Your Lordships
Most Obedient humble Serv^t^
Rob^t^ Quary

Virginia
May 30. 1704.

Lieutenant-Governor Ingoldesby to Lord Nottingham.

[New-York Papers, VI., 9.]

New Yorke June 14. 1704.

May it please y^r^ Lordship.

As I am in duty bound to acknowledge all favours and hon^rs^ rec^d^ from y^r^ Lordship, so I thought my selfe likewise obliged to acquaint y^r^ Lordship of my arrivall, after 15 weeks bad weather. I came to Virginia the 9^th^ of January in y^e^ Foway friggott, having lost company with y^e^ rest of y^e^ Fleett, y^e^ Dreadnaught w^ch^ was our Comodore on whom was on board Cóll Seymer Gov^r^ of Maryland, was forced to bare away for Barbados for want of water, and did not arrive in Virginia untill y^e^ midle of Aprill but all in health. I being taken ill of an ague and fever in y^t^ country could not gett to New York untill y^e^ beginning of March, where I found

and Judge of the Admiralty Court. In 1703, Gov. Johnson put him in command of a military expedition against the Apalachees, a Creek or Seminole tribe then inhabiting the country called Apalatchia, between the Ocmulgee river and the Bay, on the Gulf of Mexico, to which they have left their name. After fighting two battles, one of which was towards Mobile, (see *Mitchell's Map of America*,) he utterly reduced this tribe, 1300 of whom, as stated in the above despatch, accompanied him on his return to Carolina. On the overthrow of the Proprietary government in 1719, Colonel Moore was chosen Governor by the Convention. "He was," says Ramsay, "a man excellently well qualified for being a popular leader in perilous adventures, and had been removed from his command of the militia for warmly espousing the cause of the people and opposing the proprietors." When the Royal authority was established in 1721, he was elected Speaker of the Assembly and filled that office until 1725. Yonge's Narrative, in *Force's Tracts*, II., No. X. — *Oldmixon*, Title, *Carolina; Ramsay's History of South Carolina*, I., 80, 82, 154; II., 146. *Carroll's Historical Collections of South Carolina*, I., 90, 118, 130, 137, 139, 143, 238; II., 109, 110, 180, 572. We have not been able to ascertain the date of Gov. Moore's death. — Ed.

my Lord Cornbury & his family in good health; his Lordship has been very civill & kind to me, ordered my Cômission for Leiu^{t} Gov^{r} to be published in Councill y^{e} next day after my arrivall; his Lordships great prudence and steddy conduct has allmost extinguished y^{e} divisions y^{t} were amongst y^{e} inhabitants, and is very much in y^{e} esteeme of y^{e} people, especialy y^{e} better sort, who talk very kindly of his Lordship & are willing to use their uttermost endeavours to make him happy and easy in his governm^{t}; y^{e} debts contracted by his predecessor amounting to at least £12000 are a great subject matter of complaint; the necessary things of the present warr and defence of the Province makes a constant demand of fresh supplyes from the people and the staple of y^{e} country, y^{e} manufactory of flower, being of little value all this warr, a stop being put to y^{e} consumption thereof in y^{e} Spanish West Indies has much impoverished the inhabitants. The Assembly are now sitting to provide for y^{e} defence of y^{e} frontiers amongst other matters, w^{ch} I doubt not but y^{t} his Excellency has given y^{r} Lordship a perticular account of, as soon as the Assembly is up his Lordship designs for Albany where I shall attend him, and afterwards for Burlington to meett y^{e} Assembly of New Jersey. As y^{r} Lordship has been gratiously pleased to procure me Her Majesties Cômission for Leiu^{t} Gov^{r} so I hope y^{r} Lordship will be pleased to get some sallary settled upon me; y^{e} late Leiu^{t} Govern^{r} having had £200 per Annum besides this Province made him a present of £500. I find the country very inclinable to do for me, but they say her Majes^{tie} has ordered that no present shall be made to any Govern^{r} Leiu^{t} Govern^{r} or Cômander in Cheife, so that I am like to be y^{e} only sufferer unless I have y^{r} Lordships favour in it. I humbly beg y^{r} Lordship will pardon this, and y^{t} I may be numbred amongs^{t}, My Lord

Your Lordships
Most obedient faithfull
humble Servant
(Signed) RICH: INGOLDESBY.

Lord Cornbury to the Lords of Trade.

[New-York Entries, B. F. 118.]

To the Right Hon^{ble} the Lords Commissioners for Trade and Plantations.

My Lords,

I now send your Lordships the accounts of the late Earle of Bellomont, stated as I take it in the proper method; I must acquaint you that M^{r} Walters Mylady Bellomont's agent here, told me when I first sent up for him (after I had received Her Ladyship's accounts which you were pleased to send me) that he had not rec^{d} any accounts from My Lady Bellomont, but that he expected them daily, and that as soon as he received them he would acquaint me with it; accordingly in few days, he told me he had received them, and told me further that Her Lad^{shp} had desired M^{r} Ling and M^{r} Cholwell (two Merchants of this place and very good Men) to assist him in the stating her accounts, upon which, I appointed M^{r} Barbary, M^{r} Jamison, and M^{r} Fanconier (who are all three excellent accountants) to meet the three persons named by Mylady Bellomont to state the accounts of the late Earle, and I directed them to do it as

soon as possible, in order to which there was a meeting appointed; there they differed about the method of making up the accounts, Mylady Agents insisting that My Lady ought to be charged with no more than what My Lord had actually received, but they could not produce any account from the Paymaster Gen$^{l's}$ Office in England to shew what that was; so the persons appointed by me insisted, that since they could not produce any such account, Mylady was to be charged, with all that Mylord had rec^{d}, or might have received and that if the account was so stated, it could be no prejudice to Mylady Bellomont, because when that account should come into England, Mylady would be immediately discharged of all such sums as should be found to remain in the pay Office, if any such sums there were, but that I could here pass nothing to Mylady's credit, but what her Agents produced vouchers for, unless they could produce an account of what was actually paid to Mylord Bellomont or his Agents from the Paymaster Gen's office, attested by the proper Officer, that in case I should charge Mylady according to that account, but till such an account did appear, I must charge Mylady with the whole. The persons appointed by Mylady not liking that method, broke off the meeting that time, since which they have met twice, but to no purpose, but at the last of those meetings, the persons appointed by me gave the others such an account as I thought Mylady ought to be charged with, and desired them to make their objections in writing, to that account, if any they had, they took the account, but we could never get them to meet since. I have several times since that time (which was in September last) asked some of those appointed by Mylady, why they would not go on with stating that account, and they have as often answered me, that they could not consent Mylady should be charged with more than was actually received, and I could get no other answer, by which I perceived it would be impossible ever to state an account as it ought to be with those Gentlemen, therefore, I ordered the accounts to be stated by way of Debtor and Creditor, which being done, I laid it before the Gentlemen of Her Majesty's Council for this Province, and desired them to send for Mylady Bellomont's agents, and shew them that account, and hear their objections if any they had, then seriously to consider the whole matter, and report to me how they found, with their opinions accordingly; the Accounts were given to Mylady's Agents who after two days returned them and said they could not agree to that method, but they would state their account their own way, and would send it into England and give me a copy of it (but that is not yet done). Then I desired the Gent^{n} of the Council to peruse those accounts, and give me their opinion on them, accordingly they met twice, and went through part of them, then they acquainted me, that they found those accounts very long, and they were affraid they should not be able to prepare Report, before this ship sails; I told them however they should go on, and if it could not be done for this ship, it should go by the next; in the mean time, I send your Lord^{pps} the accounts stated as I think they ought to be, and are as follows.

The full subsistance of the Four Company's from the first of January 169$\frac{6}{7}$ to the 25th of March 1699 according to the establishment bearing date the 1st April 1694 and ending the said 25th of March 1699 (The Lieutenants their servants and the Adjutant excepted, they having a seperate account) amounts to £9570.6^{s}.5$\frac{3}{7}$. the clearings of the said Forces for said time amounts to £686.1.8$\frac{4}{7}$ in all £10256.8.00. upon these two heads, it does not appear by their own account, or by any other account that I have seen, that they have paid any more than £554.19.1$\frac{1}{2}$ upon this establishment the Companys were hundreds.

The full subsistance of the said four Company's, from the 26th of March 1699 to the 24th of April 1700. according to the establishment bearing date the said 26th of March 1699 and ending the 24th of April 1700. the Lieutenants their servants and the Adjutant, excepted, (they having

a separate account) amounts to £2607.18.10$\frac{3}{7}$. the clearings of the said forces for said time amounts to £322.9.1$\frac{5}{7}$ in all £2930.8.00. what has been paid upon these two heads, does not appear to me, because the amount exhibited by M^{r} Champante, in behalf of Mylady Bellomont, and send to my by your Lord^{pps}, bear no date, neither with respect to his receipts nor payments. Now the Company's were fifty's.

The full subsistance of the said four Comp^{nys} from the 25th of April 1700 to the 7th of March 170$\frac{0}{1}$ according to the establishment bearing date the said 25th of April 1700. yet in force (The Lieutenants their servants and the Adjutant excepted, they having a seperate account) amounts to £3695.6.3$\frac{3}{7}$. the clearings of said Forces for said time amounts to £256.12.4$\frac{4}{7}$ in all £3951.18.8.

The three Clauses above reciting the three Establishments in force in Mylord Bellomont's time, are all computed in Sterling money, but it must be observed, that by the two first Establishments, there was a deduction to be made of thirty per cent, out of every hundred pounds Sterling, so that the Soldiers here did receive but £100 currant for £100 sterling, but by the last Establishment the forces here were to receive the £120 currant for £100 sterling, so that by the two first establishments before mentioned, Mylord Bellomont is accountable to the Crown for thirty per cent, and by the last establishment for ten per cent only of the whole pay of the four Company's, as will appear by the account N^{o} 17.

The subsistance of the Lieutenants who were eight in Number, with their servants (according to the two first establishments, beginning the first of April 1694. and ending the 24. of April 1700) from the 1st January 169$\frac{6}{7}$ to the said 24th of April 1700. amounts to £1210.00.00 their Clearings for said time amounts to £1048.13.4. The subsistance of said Lieuten^{ts} and their servants (according to the last establishment bearing date the 25th of April 1700) the said Lieutenants being twelve in number from the said 25th of April to the 7th of March 170$\frac{0}{1}$ amounts to £475.10.00. their Clearings for said time amounts to £412.2.00. which four sums amounts in all to £3146.5.4 sterl^{g}.

The whole pay for the Adjutant from the 1st of January 169$\frac{6}{7}$ to the 24 of April 1700. (being the time of the two first Establishments) amounts to £242.00.00 and from the 25th of April 1700. to the seventh of March 170$\frac{0}{1}$ amounts to £63.8.00. being the time of the last Establishment which make the summe of £305.8.0. Sterling.

By the above articles it will appear that the whole subsistance and clearings of the forces here, during the time of Mylord Bellomonts Administration, allowing the Company's to be compleat, according to the several Establishments, amounts to £20590.8.0. sterling.

Mylord Bellomont is further to be charged with 20[1] per cent for the subsistance and Clearings from the 25th of April 1700 to the 7th of March 170$\frac{0}{1}$. (that being the time the forces received £120. currant for every £100. sterling) amounting to £790.7.8$\frac{5}{7}$. the 20 per cent for said time upon the subsistance and clearings of the Lieutenants and their servants amounts to £177.10.5. the 20 per cent for said time upon the Adjutants whole pay amounts to £12.13.7. which several articles of 20 per cent for said time, being added together amounts to £980.4.8$\frac{5}{7}$ New Yorke money.—

This summe of £980.11.8$\frac{5}{7}$. New Yorke money being added to the above summe of £20590.0.0. sterling will make the summe of £21.570.19.8$\frac{5}{7}$. New Yorke money which I take to be the full charge upon Mylord Bellomont, during the time of his Admidistra^{tn}, upon the two heads of subsistance, and Clearings, according to the several establishments.

[1] Qu^{r} 10. *VFK.* S. P. O. *Marginal Note.*

The late Earl of Bellomont is to be further charged with the full pay of a certain number of Supernumerary's (which happened to be kept in pay over and above the numbers allowed by the Establishment bearing date the 26th of March 1699; the order for reducing the Company's from hundreds to fiftys, either not arriving here at all, or else so late that the Establishment for making them hundreds, bearing date the 25th of April 1700. prevented the reduction) amounting to the sum of £513.4.0. sterlg for which the forces were to receive but New Yorke money, it being part of that time in which the forces received but £100 currant for £100 sterlg, so that if this sum of £513.4.0. is added to the forementioned sum of £21,570.19.8$\frac{5}{7}$. they will make the charge upon Mylord Bellomont upon the several heads aforementioned amount to £22084.3.8$\frac{5}{7}$. New Yorke money.

Upon the several heads aforementioned Mylord Bellomont has paid to the Forces here (as appears by the several accounts sent over from England) the several sums following:—

Upon the Establishment beginning the 1st of April 1694. and ending the 25th of March 1699. it appears by the said accounts, that the said Earle has paid the sum of £554.19.1$\frac{1}{2}$. (as I have already observed in the Article of charge upon the said Earle for the said time) besides what may have been paid to the Victuallers which does not appear to me by any account yet exhibited.

Upon the second establishment, beginning the 26th of March 1699 and ending the 24th of April 1700. and upon the third Establishment, bearing date the 25th of April 1700. (which remains still in force) to the 7th of March 170$\frac{0}{1}$ which is the day the said Earle's payments determined (the Lieutenants, their servants and the Adjutant excepted, they having a separate account N° 12.) it appears by the said accounts, the said Earle has paid the summe of £5457.3.3$\frac{1}{2}$. New Yorke money, but the said accounts bearing no dates of the times when the several articles, and sums contained in the said accounts were paid, I could not adapt them, to their proper times and places.

Upon the heads of subsistance and Clearings for the Lieutenants and their servants, from the 1st of January 169$\frac{6}{7}$ to the 7th of March 170$\frac{0}{1}$ it appears by the said several accounts, that the said Earle has paid the summe of £964.2.5$\frac{3}{4}$.

The Adjutant appears by the said accounts, to have received upon account of his whole pay upon the three several Establishments aforementioned the sume of £75.19.0.

The Respits during the Administration of Mylord Bellomont upon the three Establishments, as well of Officers, as Soldiers, amount to £951.00.00. for which I conceive His Lordp ought to have credit.

The last five Articles contain all that the said Earle can claim, in discharge of the charge abovementioned, amounting to the sume of £8003 3 10$\frac{3}{4}$. which being deducted out of aforementioned charge of £22,084.3.8$\frac{3}{4}$. the said Earle will remain Debtor in the whole, upon the several heads aforementioned, the sume of £14080.19.10. this I take to be the true ballance of the said Earle's accounts upon the several heads aforementioned, as far as appears to me, by any accounts or claims yet exhibited or made, either here or in England as far as is come to my knowledge.

The head of offreckonings for Mylord Bellomont's time stands thus: from the first day of January 169$\frac{6}{7}$ to the 25th of March 1699. (being the time of the first Establishment) the Offreckonings amount to £3228.17.4. stelg, upon this Establishment the Company's were 100ds from the 26th of March 1699. to the 24 of April 1700. (being the time of the second Establishment) the Offreckonings amount to £871.4.0. sterlg by this Establishment the

Company's were to be but fifty's, from the 25th of April 1700. to the 7th of March 170$\frac{0}{1}$ (at which time Mylord's payments determined) the Offreckonings amount to £1257.8.8. sterlg which last summe with the addition of 20 per cent makes £1508.18.5. New Yorke money, so the whole offreckonings in Mylord Bellomonts time according to the several Establishments amounts to £5608.19.9. New Yorke money.

The said Earle is likewise to be charged with £1680. sterl: upon the head of offreckonings, grown due before the 1st of January 169$\frac{6}{7}$. which his Lordship received in England in August 1697. as I am informed; it appears by Mr Champante's Accounts, that My Lord Bellomont received that summe, but his acct having no date, I can not be positive of the day it was received.

Soe that the whole charge upon the said Earle, on the head of offreckonings amounts to the summe of £7288.19.9. New Yorke money.

In discharge whereof the said Earle has paid as follows:—first, some goods brought by his Lordp from England to this place in 1698. to make cloaths for the Soldiers, for which Mr Champante charges in the last account sent over hither, to the debit of the Four Company's the summe of £2321.2.3½. including a payment to Captn Matthews, on account of cloathing, but he does not distinguish what that payment amounts to, but Captn Matthews says, it was for making up the goods brought by Mylord Bellomont into cloaths here, and amounts to £272.13.7½ New Yorke money as appears by an account (sent over by Mr Champante) of the particulars of said cloathing according to his own prizes in which the total amounts to no more than £2,308.16.1½ which is £12.6.2. less than the total of his last account besides these two accounts I have a copy of an account sent by Mr Champante to Captn Nanfan, and attested by him to be a true copy, intituled (An Account of the Offreckonings of the Four independant Company's at New Yorke) in the first Article of this account on the Credit side, he makes himself Creditor for £729.8.0 as paid by him in England, to the late Earle of Bellomont's order, on account of the cloathing in £1697. and in the said account gives no further credit, neither to Mylord Bellomont nor himself, upon the head of Cloathing for the year 1697—This mighty difference of accounts, gave me curiosity to examine more nicely, than I had done his account of particulars of said cloathing by which it appears to me, that the prime cost of said cloathing in sterling amounts to no more than £966.8.0. the first, eleventh, twelfth and thirteenth Articles in his Accounts, being for loss upon Malt Tickets, exchanging of salt Tally's, money given to the Clerks at Mylord Renelaugh's Office, coach hire and expences. Upon this I must observe in the first place, that suppose the £1680 sterl: received by the late Earle of Bellomont has been paid in Tally's, or Malt Tickets, yet there was no manner of reason for loosing £58. for discount of Malt Tickets (as he charges in the first Article of his said acct) because it is certain the Clothiers he dealt with, would have taken those Malt Tickets in payment for the goods they furnished, especially since the cloathing of the whole army at that time, was paid for no otherwise than by such like public funds, which carried on interest along with them. Secondly, besides the £58. loss upon the Malt Tickets, he charges thirty per cent upon the said loss—Thirdly, he charges the Company's with shirts and neck cloaths as bought of one Cratchrode, and at the same time, charges for making of shirts and Neck cloaths £26.3.6. New Yorke money, which last charge I find to be true, because I have certain information, they were made here. I could mention several irregularities more in his account of particulars but I am not willing to trouble your Lordpps with them since I herewith send you copy's of the three several accounts aforementioned.

The uncertainty of all these accounts, and there appearing no certain account of all the goods brought over by the Earl of Bellomont, I required an account (from the Officers of the several Compy's (of what goods they have received from Mylord Bellomont upon account of the cloathing in 1697. they having given me an account of the several kinds of goods they received, and the quantity's, I ordered a valuation to be made of those goods, at the highest rates they have been known to be worth here, which amounts to £1300. as by the account N° 8.

This being the Justest calculation I can make, with relation to the goods brought hither by the Earle of Bellomont, for cloathing and which ought to be paid out of the £1680. received by his Lordp in England, I must be of opinion that no more ought to be allowed than the £1300. abovementioned.

The said Earl is further to have credit for a cloathing sent hither by Mr Champante in the year 1700. amounting to £999 7 4. sterl: as appears by his own account delivered to me by himself in London in September 1701. to which last summe add ten per cent and that will make in New Yorke money £1099.6.00¾.

These two summs of £1300. and £1099.6.00¾. added to one another, make the sum of £2399.6.00¾ which is all the credit the said Earle can claim on the head of Offreckonings—

This last summe being deducted out of the £7288.19.9. mentioned on the other side, to be the Total of the Offreckonings in Mylord Bellomt's time the £1680. included, there will remain a ballance of £4889 13 8¼ either due by the said Earle, or remaining in the Paymaster General's Office, upon the head of Offreckonings.

So that upon the whole it will appear, that the ballance due by the late Earle of Bellomont to the four Companys here, amounts to £18970.13.6¼ except what he may have paid to the Victuallers, or may yet remain in the pay office in England, what that may be does not appear to me.

The said Earle is to have Credit for the days pay poundage, and Agency upon the whole pay of the forces here, the Lieutenants their servants and the Adjutant excepted, amounting to the several sums following: Upon the first establishment ending the 25 of March 1699. the days pay poundage and agency amounts to £926 3 9½, upon the Second Establishment ending the 24 of April 1700. the day's pay poundage and Agency, amounts to £405 13 4⅜ Upon the last Establishment (still in force) to the 7th of March 170$^{0}_{1}$ (the day that Mylord Bellomont's payments determined) the day's pay poundage, and agency amounts to £350.00.2⅜ which three last sums put together will amount to £1681.17.4½. New York money.

The day's pay poundage, and Agency upon the pay of the Lieutenants and their servants for all Mylord Bellomont's time, amounts to £157.17.9¾.

The day's pay poundage and agency for the said time upon the Adjutant's pay amounts to £19.8.6.

These two last sums amounting to £177.6.3¾. being added to the above sum of £1681.17.4½. will make the summe of £1859.3.8¼. New Yorke money, this last summe being deducted out of £18970.13.6¼. ballance on the other side, the remaining ballance upon the several heads of subsistance, Clearings, Offreckonings, day's pay poundage and Agency, will appear to be £17.111.9.9¾ New Yorke money.—

Upon the two first Establishments the Forces here, were to receive but £100 curr: money for £100 sterl: so there remained in the Governrs hands £30. upon every £100. of the pay of the Forces here, which was appropriated by the late King's order, to the payment of the Staff Officers, and the repairs of Fortifications, which said £30 per cent upon those two first

Establishments amounts to £6594.4.4. New Yorke money; Upon the last Establishment (still in force) the forces here were to receive £120 currant for every £100 sterl: so there remained in the Governour's hands but ten per cent upon every £100 of the pay of the Forces here (appropriated as aforesaid) which said 10 per cent from the 25 of April 1700 to the 7th of March 170$\frac{0}{1}$ amounts to £616.0.9. New Yorke money; which said sums of £6594.4.4. and £616.0.9. will make the summe of £7210.5.1. which is the whole amount, of the 30 per cent and 10 per cent during the time of Mylord Bellomont's Adminis^{tn}

This last article ought to have been discharged by the payment of the Staff Officers, and repairs of Fortifications, but the Countess of Bellomont, nor M^{r} Champante for her, nor any other person whatsoever, having yet exhibited any account (that I have ever seen or heard of) either of the 30 per cent or ten per cent, I can not make any discharge of the above charge of £7210.5.1. which added to the above ballance of £17111.9.9$\frac{3}{4}$ will make the sume of £24.321.14.10$\frac{3}{4}$.

This I take to be the full and just charge upon the whole account, between the late Earl of Bellomont, and the Forces in this province, and which I think ought to stand good, till the Countess of Bellomont or her Agents think fit to discharge the same by proper vouchers all which is humbly submitted to your Lord^{pps} better judgements.

I could trouble your Lord$^{pp's}$ with many observations upon M^{r} Champantes accounts as for example. M^{r} Champante is now to make up an account in behalf of the Countess of Bellomont, of all the several sums of money received by the late Earle of Bellomont or his Agents, upon Accounts of the Forces here, and paid to, or on account of the said forces, and yet he takes no notice in his account currant (nor in any other account yet exhibited by him) of what money was received by the said Earle before he, M^{r} Champante came to be his Agent, except the £1680, upon the head of Offreckonings and £500 as received by Sir William Ashurst, but does not mention whether any more has been received or not, tho' in another account delivered to me by himself, before I left England, and signed by him as a true account; the fourth article runs thus: (To money of the Four Company's received from Sir John Stanley, being the ballance of Sir W^{m} Ashurst's account £647.14.0) whereby it appears, that in one account he charges Sir W^{m} Ashurst, with the receipt of no more than £500. and in the other he makes the ballance of Sir W^{m} Ashurst's acc^{ts} to be £647.14.0 which is a plain contradiction, for the word ballance inferrs a greater summe due or received, because a lesser summe may be a ballance to a greater, but the greater can not be the ballance to a lesser. I shall further observe, that the account laid before your Lord^{pps} signed by M^{r} Pouncefort as a true account from the office (of which you were pleased to send me a copy attested by M^{r} Popple to be a true copy) no mention is made of any money paid to the Earle of Bellomont, or his Agents, before the time that M^{r} Champante came to be his Agent, though, it is certainly true that considerable sums were received by the said Earle in England, upon the head of subsistance, & perhaps upon others too. It is true indeed that in the account delivered to me by M^{r} Champante in England, in the first article on the Credit side, he gives himself credit for £965 2 0. as received by Sir W^{m} Ashurst in part of a summe of £2498.8.9. which he calls in the first article of the said account, on the debit side (the intire subsistance and Clearings of the Four Company's from the 25th March 1699. to the 24. of Dec^{r} following) and now in his account currant he charges the same summe of £2498.8.9. as received by himself, in the fourth Article on the debit side of his said account currant which is impossible, unless the Office has paid £965.2.0. more than they ought to have done for that time. I hope your Lord^{pps}

will be pleased to order an account to be laid before you, of all such summes of money as were paid to the Earle of Bellomont or his Agents, by the pay office from the 1st January 169$\frac{6}{7}$ to the 25th of March 1699. of which there yet appears no manner of Account that I know of, by which Your Lordpps will be best informed, how much remains in the pay office, which with humble submission, I conceive ought to be passed to the credit of the said Earle for so much in discharge of the General ballance of £24321.14.10$\frac{3}{4}$ mentioned on the other side.

The next observation I shall make, is: that Mr Champante did receive in the year 1697 the Offreckonings for that year, amounting to £1062.5.8. as appears by the first article of Mr Pancefort's accts, out of which he sent a cloathing in 1700. amounting to £999.7.4. as appears by his account aforementioned (which he calls a double cloathing) by which it appears that the cloathing sent in 1700. cost £62.18.4. less than the Offreckonings, received by him in 1697. though now in his account currant, in the last article, on the credit side he gives himself credit for the summe of £332.17.8. in part of the said cloathing (as he calls it) at the same time in an account, produced by Captn Nanfan and signed by him as a true copy, of the account of Offreckonings, sent to him by Mr Champante, the said Mr Champante gives himself credit for £1014.7.4. for the same cloathing so that the account he gave me in England of that cloathing differs from the Account sent to Captn Nanfan £15. besides the £332.17.8. by him past on the credit side of his account currant, in the Earl of Bellomont's time, in part of the said cloathing.—I could observe that though Mr Champante in his account currant, charges the Forces here, with £33.6.11. for discount of Tally's and Exchequer bills, besides the £588. charged for loss of Malt tickets in the year 1697. he does not think fit to allow them any interrest for the Offreckonings received in 1697. though he kept them in his hands till the year 1700. though certainly interrest might be demanded of him by much better reasons, than he could charge discount, for the reasons before mentioned. Thus I have given your Lordpps the best account I can of the State of the Forces here, during the time of Mylord Bellomont's Administration, and I intreat your Lordpps to do me the Justice to believe, that I have done it with all the impartiality imaginable.

I must now inform your Lordpps that besides that account, between the late Earle of Bellomont and the forces here, there are other sums of money mentioned in the account Mr Champante gave me in England, which perhaps your Lordships may be of opinion ought to be accounted for—The first of which is £300. charged as received by himself on account of a present to the Indians—The other is £500. by him charged as received by him towards building of a Fort in the Onnondages Country;—As to the first of these two sums, I can only say, that Mr Champante's accounts bearing no date, I am not able to inform you at what time that money was received by him, nor whether it was ever laid out, he not having given himself credit for any thing upon that head, in any of his accounts that I have yet seen. As to the second summe the Countess of Bellomont paid that summe to Mr Fauconier, who was then one of the Commissrs for executing the office of Collector, and Receiver Genl of this province, which was paid by him to Mr Abeel of Albany, to be laid out in materials for the Fort to be built there, but the said Abeel has not yet made up his account, but I hope to have it ready by the next conveyance.

I must further inform Your Lordpps, that inquiring into the matter of the Victualers, I found that Coll: Schuyler, and some others that victualled the Company's at Albany, the latter part of Coll: Fletcher's time and the beginning of Mylord Bellomont's, claimed considerable sums of money as due to them upon account of Victualling; so I directed them to give me an account

of what sums they had received from those two Governours upon that head which they did; by which it appears, that Coll: Fletcher, paid them to the 1st of May 1697 according to his contract with them, (by which he was to pay them every six months) and I supposed had continued to do so, had not Mr Gilbert Heathcote who was his Agent, written him word, that he was superceeded by Mylord Bellomont, and he must draw no more Bills upon account of the Soldiers, because his Lordp had received the subsistance from the 1st of January $169\frac{6}{7}$ (and that is the reason why I have charged his Lordp from that day). that letter came to Coll: Fletcher in October 1697, and the last day of that month, there would be six Months due to the Victualers; Coll: Fletcher sent for them and told them he would pay them no more, upon which they said, if so, they could victual no longer, Coll: Fletcher advised with the Council, that then was, who unanimously agreed that the Victualers should be desired to go on, and to encourage them so to do, it was agreed they should have interest for what was then due to them, and what they should further advance, till the arrival of the Earle of Bellomont, upon this the Victuallers went on, and upon the arrival of Mylord Bellomont they applyed to him for their money, who put them off (as they say) several times till at last Coll: Schuyler pressing his Lordp very earnestly for that money Mylord was pleased to give him a warrant of £300 upon the Revenue of this Province (which with submission I think ought not to have been). It is true indeed that by the Account it appears that money was to be repaid to the Revenue, out of the subsistance, when received, but it does not appear to me, that ever that money was repaid. I thought myself obliged to acquaint your Lordpps with this Article, because, tho' it may appear by the Victuallers Accounts, when exhibited that they have recd so much, yet I conceive the late Earle of Bellomont is Debtor to the Revenue of this Province for that summe of £300.

I shall further observe, that at the arrival of the Earle of Bellomont and in some few days after, the debt due to the Victuallers (in pursuance of the Contracts made between them and Coll: Fletcher) amounted to the summe of £1749.7.10½ out of which £300. being paid by Warrants (as abovementioned). the principall summe then and still remaining due to the said Victuallers amounts to £1449.7.10½ for which last summe no satisfaction could be obtained, neither in Mylord Bellomont's time, nor in Capt: Nanfan's neither with respect to the principal summe nor the interest, though application was often made by the Victuallers, who after my arrival here applyed themselves to me upon that subject, by a memorial which I referred to the Gentlemen of Her Majesty's Council, who made a report to me, upon the whole matter, of which I send your Lordpp's a copy.

I shall further observe that the above summe of £1449.7.10½. ought to be paid out of the subsistance growing due at that time, so that if the late Earle of Bellomont, or his agents have received any part of the subsistance for that time, so much of that debt ought to be discharged by his Lordship, and the rest ought to be discharged by the subsistance for said time remaining in the Paymaster General's Office; till which time the Revenue of this province is burthened with interest for the said summe of £1449.7.10½. upon which head the Revenue here has already paid (upon warrants granted by me pursuant to the Report of the Gentlemen of the Council aforementioned) the summe of £578.0.1½. whether this last summe as well as the growing interest for said principal summe ought to lye on the Revenue here, or be paid by the persons who have received the subsistance of that time, I submit to Your Lordpps—

These methods, and others of the like nature have brought the Revenue of this Province so deep in debt, that whereas formerly money was always to be had upon reasonable terms, upon

the credit of the Revenue, now there is not one farthing to be borrowed upon that credit, were the Emergencies of the Govern[t] never so great.

Thus I have given your Lord[pps] the best account I can of all accounts between the late Earle of Bellomont and the Forces posted here, and the Province. I hope it will be to your Lord[pps] satisfaction; if any thing has slipt my memory or my observation at this time, I shall inform you of it by the first opportunity. I am ettc.

New Yorke (signed). CORNBURY
June the 17[th] 1704.

Lord Cornbury to the Earl of Nottingham.

[New-York Papers, VI., 10.]

New Yorke June 22. 1704.

My Lord

Your Lordships letter of the 22[nd] of July last, came to my hands on the 23[d] of Aprill the Dreadnought having been driven off this coast into Barbados, and did not get into Maryland, till the 13[th] of Aprill. Your Lordshippe is pleased to signifie to me her Majesty's pleasure that the Captains of the men of warr, which shall be commanded to the West Indies should be used by the severall Governors under Her Majesty's obedience with all civillity, and with that respect which is due to that post: I humbly intreat the favour of your Lordshippe to assure her Majesty that I will dilligently obey her commands not only in this, but in all things wherein she will be pleased to honour me with them. I hope his Royall Highness my Lord High Admirall will be pleased to command the Captains of her Majesty's ships of Warr, to be carefull in keeping their men, for sometimes it falls heavy upon these Collonyes, by reason of the desertion of the seamen, and, as this Province is scituate, it falls heavier upon this then upon any other upon the Continent, because of the ill methods of our neighbours of Connecticut and Rhode Island, who protect all deserters, both from the garrison here, and from Her Majesty's ships, and will not let us have them, though we shew them the men. Now if a ship comes into this port, and wants forty men of her complement, the Queen having been pleased to command me to provide soe many men as any of her ships may want, the Captain will have his full complement made up. This often occasions our young men to run away, either into New Jersey or Connecticut, and sometimes settle there, which is a great losse to this Colony. I take the liberty to mention this to your Lordshipp, hoping you will be pleased to obtain such an order to the Captains of Her Majesty's ships, which will be a greate ease to these Collonys.

Now I shall take the liberty to acquaint your Lordshipe that the French of Canada and their Indians have done a great deale of Mischief upon the Eastern borders of New England, the last summer, last winter and this spring; they have this last winter cut off the towne of Deerfield, which belongs to the Governm[t] of Massachuset's Bay, but lies to the Northwards of Connecticut, about a hundred and twenty miles from Albany. It was occasioned by the negligence of the people, who did not keep guard soe carefully as they should have done, though I had sent them notice a considerable time before, that the ennemy was preparing to attack them; the design of the French was brought to my knowledge by some spys which I have

kept in the Indian Country, ever since the warr has been declared, and they have proved very true to me, for they have brought me word from time to time of all the preparations the French have made of which I have constantly given Collonell Dudley notice. The ennemy have not yet attempted any thing upon our northern frontiers. I will take all the care I can to be in as good a posture to receive them as possible; though I must inform your Lordshippe that all manner of stores of warr are very scarce with us, there having been none sent since I came hither, soe that a great deale of the powder is spoiled. I hope the Queen will be pleased to order us a suply both of arms and ammunition. Your Lordshippes letters by which you are pleased to signifie to me her Majesty's favour to her subjects here, whereby she is pleased to grant them the liberty to trade to the Spanish West Indies, are come to my hands. I have acquainted the merchants here with it, who are very sensible of her Majesty's great goodnesse to them. I will take care to see the orders contained in your Lordships letters obeyd to the best of my power and understanding, as I entreat you to believe I shall always be ready to doe, being with great respect My Lord

Your Lordshipps most obedient
humble humble[1] servant
(signed) CORNBURY.

L^d^ Nottingham.

Lord Cornbury to the Lords of Trade.

[New-York Entries, B. F. 158.]

To the Right Hon^ble^ the Lords Commiss^rs^ for Trade and Plantations.

My Lords.

After having several times desired Capt^n^ Nanfan to make up his accounts, with the Four Company's of Fuzeelers in the province, after many delays he brought me an account stated by a Dutch Man here which had neither head nor tail; I told Capt^n^ Nanfan, his accounts must be stated by way of Debtor and Creditor. but it seems the persons he employed, either could not or would not understand that method, for he brought me two accounts afterwards, in no better a method than the first. So seeing there never would be an end that way, I ordered the accounts of the Four Company's to be stated as I have seen it done in England, under the heads of subsistance, clearings, and offreckonings, according to the Establishment and Muster Rolls; which being done, I ordered a copy of that account to be given to Capt^n^ Nanfan — After he had it sometime, I laid another copy of that account before the Gentlemen of Her Majesty's Council for this Province, and desired them, to examine and consider it well, to send for Capt^n^ Nanfan and hear his objections if any he had, and make a Report to me upon the whole matter; accordingly they did make a Report which I here send inclosed to your Lord^pps^ with the account above mentioned, which I hope will prove to your satisfaction. I am sure if I had not taken this method, I should not have been able to have sent over his accounts these 3. years.

I shall now observe to Your Lord^pps^ that the late Earle of Bellomont dying the 5^th^ of March 170$\frac{0}{1}$ Capt^n^ Nanfan charges himself with the subsistance from the 8^th^ of said March forward

[1] *Sic.* — ED.

which subsistance from the said 8th of March $170\frac{0}{1}$ to the 24th of December 1701. computed according to the establishment (allowing the Company's to be full hundreds the Adjutant only excepted) amounts in sterling money to £3841.17.8½. to which adding 20 per cent (pursuant to the late King's order to the late Earle of Bellomont) to make it New Yorke money, amounts in the whole to £4610.5.3. by Captn Nanfan's own account, it appears, he has paid in New Yorke money here the summe of £3662.12.11¼, and in England according to Mr Champante's account in sterling money £278.10.0. which with the addition of ten per cent makes £306.7.0. New Yorke money. So that the whole of what Captn Nanfan has paid both here and in England amounts to £3968.19.11¼.—So that if the Company's had been compleat, Captn Nanfan would be debtor to the said Company's upon the head of subsistance only the summe of £641.5.3¾—but the Muster Rolls making out but about 347 effectives, there will remain so many respits as will amount to £604.16.00 sterl: which in New Yorke money amounts to £725.15.2½. which respit if allowed to Captn Nanfan upon his account, he will be Creditor upon that head, the sume of £84.9.10¾ New Yorke money—Besides Captn Nanfan has advanced to Coll Ingoldsby's Lady £23.17.7¾ which two last summs make the summe of £108.7.6¼. which he seems to be creditor for, upon the head of subsistance.

As to the head of Clearings it stands thus: The whole of the Clearings from the 8th of March $170\frac{0}{1}$ to the 24. of December 1701. amounts to £769.19.6¼. sterl: money (Adjutant excepted) which with addition of 20 per cent (pursuant to the late King's order to the late Earle of Bellomont) makes in New Yorke money £923.19.5⅛: It appears by Capt: Nanfan's own accounts, that he has paid here upon the head of clearings £205.8.1⅝. besides the poundage, Agency and Day's pay to Chelsea Hospital, amounting to £49.18.7¾. both these last sums New Yorke money, and make together £255.6.9⅜. and by Mr Champante's account, it appears that he has paid in England, upon that head of Clearings £148.0.6. sterl: which makes in New Yorke money £172.16.3¼. which two sums of £255.6.9⅜ and £172.16.3¼. make together the summe of £428.3.0⅝. so that he is Debtor upon the head of Clearings £495.16.4½.

The head of Offreckonings from the said 8th of March $170\frac{0}{1}$ to the said 24. of Decembr 1701. stands thus: The whole Offreckonings for one year amounts to £1447.16.8. sterl: so that the proportion of Offreckonings for the above said time amounts £1158.5.4. but the said Offreckonings not coming into the hands of the Commanders in Cheif of this Province, nor his Agent, but remaining in the Paymaster General's Office, to answer and pay such cloathing as is provided by the Agent in England, and sent over hither for the soldiers, I have it in this account charged Captn Nanfan with no more than it appears by Mr Champante's own Acct, that he has received for cloaths sent hither, which amounts to £1892.16.00 sterl: which make in New Yorke money £2271.7.2½. out of which summe we have had a cloathing, called by Mr Champante a double cloathing, but so bad a one, that I thought it my duty to have it appraised here by Merchants, who trade every day in those goods, a copy whereof I formerly sent your Lordpps and now send you enclosed the original estimate signed by the Merchants and Officers present at the valuation, by which it appears that Cloathing could not be worth above £1138.6.7½. sterl: which makes with the addition of 20 per cent £1365.19.11. New Yorke money, add to that the day's pay, Poundage, and Agency for all the Pay except the Lieutenants their servants and the Adjutant, amounting to £268.10.2¾. sterl: which with the addition of 30 per cent makes £342.11.3⅜. New Yorke money, which two sums in New Yorke money amount to £1708.11.2⅝. which being deducted out of the £2271.7.2½.

abovementioned, there will remain £562.15.11⅞. which Captn Nanfan is Debtor for, upon the head of Offreckonings—

The whole pay of the Staff Officers from the 8th of March 170$\frac{0}{1}$ to the 24. Decembr 1701. amounts to £323.12.8 sterl: which with the addition of 20 per cent makes £388.7.2½ New Yorke money, it appears by Captn Nanfan's own account, that he has paid no more than £310.14.2⅝. New York money, during the whole time of his Administration, so that he is still debtor to the said Officers the summe of £77.13.0¾—

So that upon the ballance of the several accts before mentioned it will appear that Captn Nanfan was debtor to the Forces here upon the 24. of December 1701. the summe of £1136.5.4¾ New Yorke money.—

The said Captn is likewise Debtor to the Office (as will appear by the accounts Nos 1. 2 & 3.) the summe of £524.12.6⅜. sterl: which with the addition of 30 per cent, makes the sum of £682.0.3½. New Yorke money.—

This will make the whole debt from the said Captn Nanfan to the Paymaster Generals Office in England, and to the Forces here amount to £1818.5.8¼. to the 24. of December 1701. inclusive.—

From the 25th of December 1701. inclusive to the 8th of May 1702. inclusive. the subsistance of the Four Company's computed according to the Establishment, (allowing them to be hundreds the adjutant only excepted) amounts in sterl: money to £1381.10—which with the addition of 20 per cent, makes £1657.16.0 New Yorke money—Captain Nanfan has paid here in New Yorke money, upon the head of subsistance, for the above said time the summe of £1473.19.0¾. though neither he nor his Agent have received any subsistance from the Paymaster General's Office in England, for the said time, so that the said Captn Nanfan seems to be creditor for the abovesaid summe of £1473.19.0¾. and accordingly has credit given him for that summe in the Account N° 9. add to this the summe of £108.7.6½ for which he seems to be creditor upon the head of subsistance, from the 8th of March 170$\frac{0}{1}$ to the 24th of December 1701. those two sums will amount to £1582.6.7¼ which is all the credit the said Captn Nanfan can pretend to, to the best of my knowledge.—

Now to ballance that Credit it will appear by the debor side, of the account N° 9. that the said Captn is Debtor to the Office in England, and to the Forces here, the summe of £1818.5.8¼—so that if out of this last summe the £1582.6.7¼ is deducted, the said Capt: Nanfan will remain debtor the summe of £235.19.1—

He is further to be made Debtor for the sûme of £18.1.9. for ballance of exchange upon the head of subsistance and £113.1.2⅝ for ballance of exchange upon the head of Clearings, which two sums added together amount to £131.2.11⅝.

The said Capt: ought to have credit for the summe of £97.17.0⅞. upon the ballance of exchange upon the head of subsistance, from the 25th of December 1701. to the 8th of May 1702. and of his account of Offreckonings, so that, if the summe of £97.17.0⅞ is deducted out of the summe of £131.2.11⅝ he will remain debtor upon the head of exchange £33.5.10¾. which added to the aforementioned summe of £235.19.1. will make £269.4.11¾. New Yorke money,—This I take to be a true state of Captn Nanfan's account in New Yorke money—Your Lordpps will please to observe that in the account, marked N° 2. the ballance which Captn Nanfan appears Debtor for in sterling money is £.233.16.1⅞.

Thus I have given your Lordpps the best accts I can of Captn Nanfan's accounts, with the Forces here, by such accounts as he has thought fit to produce here—

I shall observe to Your Lord^{pps} that by the account sent to me, attested by M^{r} Popple to be a true copy of the account laid before you, signed by M^{r} Pouncefort, I find Capt^{n} Nanfan's Agent charges with the receipt of £4611.0.11. upon the two heads of subsistance and Clearings, and upon the head of Offreckonings £1500. in part of a Warrant for £.1892.16.0. granted to him by the late Lords Commissioners of the Treasury; whereas by the account exhibited by Capt^{n} Nanfan, as sent to him by M^{r} Champante, the said M^{r} Champante gives Capt^{n} Nanfan's credit for no more than £3912.11.7. by which it appears that M^{r} Champante had in his hands (at the time when he suffered Capt: Nanfan's Bills to be protested) the sum of £698.9.4. more than he gives Capt^{n} Nanfan Credit for, so that if Capt^{n} Nanfan has been arrested here, by those to whom he had given bills of Exchange, he must thank M^{r} Champante, who suffered them to be protested, when he had money in his hands, out of which they ought to have been paid, and he ought not to complain of me who have been in no manner the cause of it—

I shall further observe that whereas M^{r} Champante in the account above mentioned gives Capt^{n} Nanfan credit for £3912.11.7. it appears by the same account on the credit side that he had actually paid no more (towards the payment of Bills drawn by Capt^{n} Nanfan, and to the two Invalids) than the summe of £3181.2.0. so that it must necessarily follow that at the time of the protest he had in his hands £1429.18.11.—

I must acquaint your Lord^{pps} that no accounts has yet been exhibited to me of any part of the ten per cent during all the time of Captain Nanfan's Administration—

Thus I have given your Lord^{pps} the best account I can, of the Accounts between Capt^{n} Nanfan and the Forces here—I am sure, I have done it with all the impartiality imaginable according to the best of my understanding and not without some pains.—If what I have done receives your approbation I have attained the end I aim at; if any thing has slipt my memory or observation at this time, I shall acquaint your Lordships with it by the first opportunity—I am

My Lords—Your Lord^{pps} most faithful
humble servant
(signed) CORNBURY.

New Yorke
June the 22. 1704.

Lord Cornbury to the Lords of Trade.

[New-York Entries, B. F. *p.*—]

To the Right Hon^{ble} the Lords Commiss^{rs} for Trade and Plantations—

My Lords,

I have taken the liberty to trouble your Lord^{pps} by this conveyance with the accounts of the Countess of Bellomont, and those of Capt^{n} Nanfan, to which I beg leave to referr your Lord^{pps}—Only I must acquaint you that there was such an unwillingness in Mylady Bellomont's Agents here to state Her Accounts, that they would never hear of any method, nor would produce any Muster Rolls or other Voucher, unless I would consent to charge Mylady with no more than what they said Mylord Bellomont's Agents had actually received, without producing any account from the Office, by which I might have known the truth of what was paid by the

Agents. This I thought I ought not to do, therefore I have stated her accounts by way of Debtor and Creditor, and have made the charge according to the Establishment, supposing the Company's to be compleat (because I could see no Muster Rolls) and I have allowed in discharge, all that Mr Champante has (by his accounts) thought fit to give Mylord Bellomont credit for—I hope your Lordpps will approve of this method, which I think will be the shortest way to bring these Accts to a conclusion—I beg leave to observe to your Lordpps that Mylady Bellomont has presented several pettns to the Queen, whereupon the Right Honble the Earle of Nottingham, has signifyed to me her Majesty's pleasure that Mylady Bellomont's security should not be prosecuted yet for some time. These repeated petitions oblige me to inform your Lordpps of the truth of that whole matter, which is thus:—On my arrival in this Province, I had a great number of Petitions delivered to me, by several Officers of the Four Company's here, the Staff Officers, and several other persons who had trusted the Soldiers setting forth that there were great arrears owing to the Company's here by the late Earle of Bellomont, that the Countess was going for England, that they should be ruined unless some care was taken that they might be paid—Upon this I sent to Mylady Bellomont, to desire that she would appoint somebody to state the late Earl's accounts, and I appointed Five Gentlemen here to settle those accounts, with whomsoever Mylady should appoint on her part: after which I went up to Albany, but stoping in the County of Ulster, I received there an account, that Mylady complained that the Commissrs did not attend, which was a delay to her accounts; whereupon I added Four more to the first five, that there might always be a Quorum—Mylady thought fit to trust one Mr Taylor, who had been the late Earl's private Secretary, who did appear sometimes, but either could not or would not produce all the Muster Rolls for Mylord Bellomont's time. Mr Ling and Mr Choldwell, who appeared as friends to Mylady Bellomont, offered that Her Ladyship should account for £9563.13.2 that being all (as they said). that the Earl of Bellomont, or his Agents had received, but not producing any account from the Office to satisfy the Commissrs that it was so, they did not think fitt to allow that, and went on with the full charge; but Mr Taylor seeing that, would proceed no further; being informed of this by one of the Commissrs I wrote to the Attorney General to desire him to go to My Lady Bellomont and acquaint her, that since her Agents did not think fit to go on with stating the late Earles Accounts, and Her Ladyship was preparing to leave this Province, I should expect she would give security to answer all such sums as should appear (upon the stating the late Earles Accounts) to be due to the Crown, or the Forces here, and I directed the Attorney Generll to insist upon a security of £10000; and this I did, because by the complaints made, I had reason to believe, there would be more due—The Att: Genl did as I had directed him, and Mylady sent to me by young Mr Attwood, the names of several persons, who were willing to be bound with her, to know if I approved of them, I sent that list back, & left it to the Att: Genl to take the persons he should think fit, and he insisting to have the security dispatched, under pretence of the sickness that then raged here, Her Ladyship thought fit to remove from the City into King's County, where she staid till Captn Caldwell, with Her Majesty's Ship Advice, was ready to sail—Mr Attorney General being informed, that Mylady Bellomont did intend to go privately on board the Advice, took out a writ against her, and sent for the Sheriff of King's County, gave him the writt, and ordered him to make what diligence he could to execute it, and directed him, as soon as he had done so to send him word of it, that he might wait upon Mylady to take her security. The Sheriff took the Writ and I suppose acquainted Her Ladyship with it, for the next day, the Sheriff

under pretence of having executed his Writ, sent the Att: Gen[l] word, he had done his duty, and had taken security from Mylady Bellomont, to the value of £10.000., M[r] Attorney surprised at this, went over the water to inquire into that matter, and found that mylady was gone on Board, and that the Sheriff had taken a joint Bond from two men for ten thousand pounds, who are not worth ten pounds a piece—I have never directed any proceedings against them, nor did I intend to do it, till I had directions from England, therefore her Ladyship needed not have troubled the Queen, so often about that matter, when she knows what I say to be true; however I shall always obey the orders I receive—I beg your Lord[pp's] pardon for being so long, but I thought it my duty to acquaint you with the truth—I am—

My Lords—Your Lord[pps] most
faithful humble servant
(signed) CORNBURY.

New Yorke
June the 24. 1704.

Lord Cornbury to the Lords of Trade.

[New-York Entries, B. F. 177.]

To the Right Hon[ble] the Lords Commiss[rs] for Trade and Plantations—

My Lords,

I trouble your Lord[pps] with this letter to acquaint you with an accident lately happened here, which is as follows—On Monday the 13[th] of March last arrived here the Eagle Galley Capt[n] John Davison Commander; the Collector M[r] Byerly went himself on Board the Galley, when she was about six miles below the Town, at his landing he told me it was a ship belonging to Sir Jeffrey Jeffreys, that she came from London had been at Madeira, and taken a Cargo of Wines there, and that she had some Canary wines on Board, which he said he thought was contrary to the Laws of Trade, since they were not shipped in England but in Madeira. I told him I could say nothing to that till I saw what entry he made. The Ship anchored that evening on the Road, and the next morning M[r] Wenham and Capt[n] Davison came to me, and told me, they were under a very great difficulty, because part of the Cargo of the Ship had been put on Board for the Island of Jamaica the last year, but that having taken a prize near Madeira he landed the goods intended for Jamaica at Madeira, and took on Board his ship as much of the Canary wines that were in the prize as he could and sayled for England, where (as he says) the prize and Cargo were condemned in a Court of Admiralty—that afterwards he was ordered to take on board his ship the goods which he had left at Madeira, and bring them to this Port. Capt[n] Davison further said, that when he arrived at Madera he found all his goods, but that the Cocketts (which he had left with his goods) were lost, and that for want of them the Naval officer here would not take his entry: I told them I was sorry it was so, and the more because I did not see, how I could help them, but that if they could propose any thing that I could do, and that was fit for me to do, I should be ready to give them all the assistance I could; Upon this M[r] Wenham (who is Sir Jeffrey Jeffreys correspondent here) told me he would give me what security I should direct to produce Cocketts in any reasonable

time, I told him I would consider of it, and would give him an answer very quickly, and in order to it I sent for the Attorney General, and asked his opinion, how far I might comply with Mr Wenham's proposal, he told me that if the intent of the Law was answered, Trade ought to be incouraged; that if they gave sufficient security to produce Cocketts in a reasonable time, he was of opinion the Queen would be safe, and the intent of the Laws of Trade answered—Upon this I did direct security to be given for the value of the goods according to the prices set down in the invoice with a hundred per cent advance which is the profit commonly made here by Merchants; this being done, the Naval Officer took his entry and certifyed to the Collector as he ought to do. Whereupon, the Collector suffered the Captain to enter his goods in the Custome house, to unload and carry the goods to Mr Wenham's warehouse where they were exposed to sale and several of them sold—till the one or two and twentieth day of March that the Collector, came to me, and told me, he must seize the Eagle Galley, for she had imported European goods, which were not shipped in England, which he said was contrary to an Act of Parliament, made in the 15th year of King Charles the Second, and that by that Act, the ship and all her cargo was forfeited, and he brought with him a Lawyer, to satisfy me it was so, who produced to me Wingates Abridgement of the Statutes, and turned to the Statute of the 15th of King Charles the second Chapter 7th. After I had read it, I told him I thought that by that Statute it was plain that nothing could be forfeited, but those European goods so unlawfuly imported and the Ship, but that no other part of the Cargo could be affected by that Clause—he then told me there was Cocketts wanting for several parcels of goods, I told him it was true, but that Mr Wenham had given me security to produce Cocketts within a limited time; he then said they had no Register, I told him that the Ship was Registered, and that if I had not been satisfyed of that, the Naval Officer should not have certifyed as he did; upon that he told me, he had other things to alledge against the Ship, and that he would seize her and her Cargo, I told him if he told me what those things were he had further to alledge, I would tell him my thoughts of them, but he did not think fit to tell me—On the next day seized the Ship and all the goods as well those for which Cocketts were produced, and those for which I had given time to produce Cocketts, as the Canary Wines. Upon this Mr Wenham brought me a petition (of which I herewith send Your Lordpps a copy) setting forth that the Eagle Galley and her Lading had been seized by the Collector upon supposition of some breach of the Act of Trade, of which he did not suppose her guilty, and therefore prayed the Ship and cargo might be discharged and the seizure taken off—Upon this I called a Councill, and acquainted them with the whole proceeding, and desired their advice and opinion, what was proper to be done. They desired time till the next day which I gave them, and then they gave me their opinion that they did not think any part of the Cargo of the Eagle Galley, was within the Statute of the 15th of Car: 2nd except the Canary Wines, and the Ship, and they said: that tho' a seizure had been made by the Collector, yet there being no libell filed in the Court of Vice-Admiral, I might discharge the seizure, and said further, that since the goods on Board that ship were sent hither to pay the soldiers, and that the Laws of Trade were not broken, they were of opinion, the seizure ought to be taken off from all the goods belonging to the Eagle Galley, except the Canary Wines, and the ship. Upon this I sent an order to the Collector, to take off the seizure from all the goods belonging to the Eagle Galley except the Canary Wines and the ship ettc. This order he obeyed and Mr Wenham went on selling his goods as he did before the seizure—On or about the twenty seventh Mr Collector came to me again, and told me he

must seize the Eagle Galley again, I told him I hoped he would consider well what he did unless he could shew me some new cause for it, I should order him again to take it off—he shewed me no new cause, but did seize the Ship again, and all the goods at Mr Wenham's unsold, or at least undelivered.—Mr Wenham came and acquainted me with it, and I sent a second order to the Collector to take off that second seizure, but he refused to do it. In some few days after this Mr Monpesson the Judge of the Admiralty came to town, being sent for by the Collector, he came to me and acquainted me, that the Collector had told me, he had filed a Libell against the Eagle Galley and all her Cargo, and desired him to appoint a Court for the Tryal of the said ship, which he said, he would not do till he had spoke to me—I gave him an account of the whole matter as before recited, and told him, that since I had given Mr Wenham time to produce Cocketts upon the reasons before mentioned, I did not think it would be proper for him, to try the ship upon that head, and that I would send him a Messenger by the Queen's Advocate, which I did, of which I send your Lordpps here inclosed a copy. I likewise told Mr Monpesson, that if he thought fit to try the ship upon account of the Canary, I had nothing to say against it. He did hold a Court and upon hearing the Proctors on both sides relating to the importing of Canary Wines from Madera, the Proctor for Captn Davison insisted that the Canary Wines might be imported because they were prize goods, and condemned as such in a Court of Admiralty in England had desired since to prove the same. The Judge thought fit to grant them time which will appear more fully to Your Lordpps by the proceedings of the Court, which I herewith send you. Thus I have acquainted Your Lordpps with the whole matter of fact relating to the Eagle Galley. I hope I shall have your approbation for what I have done; if I have erred, I am sure nobody can think I had any private interest in hindering the condemnation of that Ship, it was certainly my interest she should have been condemned, for then, I should have had my third which would have amounted to above three thousand pounds, and perhaps by Her Majesty's grace and favour I might have hoped for the Queen's thirds too, which would have been a much greater profit than I can ever hope for in this Country, but besides that I thought, the seizure of all her cargo unjust in itself; I considered that if all the cargo of that ship was condemned, the forces here must have starved, for Sr Jeffery Jeffery's Corresp^{t} would have found it very difficult to have found money to have paid the Forces here, what the consequence of that would have been, may easily be seen, for the Soldiers desert now they are well paid; certainly if such an accident had happened they would all have deserted. I am informed by several persons here that Mr Byerly the Collector here has sent great complaints against me into England—what those complaints are, or to whom they are sent, I know not, but sure I am, that I have never given that Gentleman, any just cause of complaint unless his being disappointed of the Third he thought to have had by the condemnation of the Eagle Galley be a just cause of complaint. Mr Byerly has given me many causes of complaint, yet because I have told him of them I am in hopes he will amend them, therefore, I will not trouble Your Lordpps with them now, tho' I believe at last I shall be forced to it; in the mean time I beg your Lordpps directions in one thing, which is this: In my instructions I am commanded not to suffer any publick money to issue, but by Warrant under my hand and seale signed in Councill, which I have punctually observed in all cases except Mr Byerly's and in his commission, the Queen is pleased to grant him a Salary of two hundred pounds sterl: a year out of the Revenue of this province, which he is directed to retain in his hands; this seems in some measure to contradict that clause in my Instructions, however I have not insisted upon that matter with Mr Byerly, but have

suffered him to retain his salary; nevertheless I intreat the favour of your Lordpps commands how I shall proceed for the future in this matter. All the favour I presume to begg of your Lordpps upon this occasion is, that you would not let any reports or stories make any impression upon your Lordships to my disadvantage, till I may have opportunity to Justify myself, which I do not question the doing to your Lordpps satisfaction, whenever you will be pleased to let me know, what I am accused of—I am with the greatest respect imaginable.—My Lords.

Your Lordpps most faithful
humble servant
(signed) CORNBURY.

New Yorke
June 24th 1704.

Attorney-General Broughton to the Lords of Trade.

[New-York Entries, B. F. 220.]

To the Right Honble the Lords Commissrs for Trade and Plantations.

My most honoured Lords.

I have not presumed to trouble you since the 12th of December 1702. when I addressed your Lordpps to move Her Majesty in my behalf, that my Commissns of Attorney and Advocate General might be renewed; I am now and have for a long time been happy in obtaining that of Attorney; but hear nothing of the other of Advocate, from any hand whatsoever, though I have several times put my Friends and Agents in London in mind of it; to my great loss and detriment, Governour Dudley appointing his son to officiate in that place at Massachusetts Bay and Rhode Island, two of the chief places of profit in my Commission especially Rhode Island, which lies as convenient for me as him, I must here beg leave therefore to acquaint Your Lordpps that I am credibly informed that Coll: Dudley does apply home for a Commission for his son to be Advocate General in these Colonies, as he hath already procured one for him to be Attorney General at Massachusets Bay—nothing of this nature I am sure can pass without Your Lordpps privity. I will therefore be no otherwise troublesome to you on this point than to submit myself and my affairs to your Lordpps care, and her Majesty's good pleasure. In hopes neither your Lordpps nor her Majesty will think fit to take any profits or advantages from me, which his late Majesty was pleased to bestow upon me, unless it be more for her Majesty's interest and service to have it so, which shall always be the measure and bounds of my desires. The evil treatment I met with by Mr Attwood's and Weaver's means, the first year of my being here, run me so far in debt, that I can with truth say, Mylords, that the profits of both Commissions hitherto have not maintained my family and discharge it, by above one hundred pounds sterling though I have taken aid of my Salary in England also. The chief ground the Coll: goes upon in this matter I understand, is because I have not been at those places to shew my Commission and take the proper oaths; to which, Mylords, I answer that when Mr Attwood at our first arrival in these parts, went to Boston to shew his Commissn as Judge of the Admiralty, he was not willing to have me with him, told me there was no business then to be done (though he found some to his no small vexation) and that he would give them notice of

my Commission, and it would be time enough to shew it and take the Oaths when there was occasion to hold a Court, which I resolved to do. But no Court of Admiralty being held at those places till after the death of the late King, I thought my Commission determined and applyed to your Lord^{pps} for a New one, but have not been yet favoured therewith. And divers Courts have since been held at Boston and Rhode Island by M^{r} Newton Deputy to M^{r} Attwood but no notice given me thereof, tho' several condemnations of value were there had, and they knew of my Commission, yet appointed others to be Advocates, tho' the Queen's proclamation made my Commission good, untill her Majesty's pleasure be further declared and known, and I was ready and willing to have attended and done my duty in my place, had I had the respect and civility of notice given me as I ought. Nor I am Mylords without my uneasiness here in this place of my residence, even from those that have Her Majesty's Commission as well as myself, and should know how to pay a due defference and respect to it, in what hand soever it is. I am sure I observe that rule in my own carriage and behaviour, but to my great Admiration am not treated so by M^{r} Byerly Collector and Receiver General in this Province, who takes upon him to controul me in my offices and defame me publickly to the people, with neglect of duty to Her Majesty and her affairs, having behaved himself very Rudely and insolently towards me in divers places and company's, where we have accidentally met, and amongst the rest once at the Chief Justice's lodgings, where he gave me very base and scurvey language, and told me he would appoint whom he pleased to do the Queen's business, which is more than Mylord Cornbury will do, for his Excellency gives me the liberty of choosing whom I think fit to my assistance in all causes of difficulty wherein Her Maj$^{ty's}$ [affaires] is concerned, that do require it, without forcing any upon me. These matters, Mylords, reached his Excellency the Governour's ears without my hearing, who of his own accord told me he would do me right therein whenever I would complain and desire it. I have fobore hitherto, Mylords, taking that method in respect to M^{r} Collector, knowing him then to be in His Excell^{cys} displeasure for other matters, which I was not willing to stir up afresh against him, but rather chose this way of acquainting Your Lord^{pps} that he may receive a gentle and proper admonition from you. My Lords, if her Majesty's affaires suffer by my Councell or management I must answer for that, and M^{r} Collector is free; but if M^{r} Collector err by the advice of others, 'tis his fault, not mine; yet some reflection on one, as though I wanted skill or honesty to perform the trust Her Majesty hath reposed in me, in both which particulars I humbly submit myself and Actions to Your Lord^{pps} censure, having as I hope approved myself to His Excell^{cy} in the variety and multitude of affairs have passed my own hands, without the help or assistance of any, and I think I may say without detriment or prejudice to Her Majesty, or Her interest in any respect, for I want not those watchful eyes upon me, as are ready to take notice of the least trip I make and improve it to my disadvantage; the Lawyers of this place not being over good natured to one another. And now Mylords, the ground and occasion of all this long story was no more than this. The Officer of Excise had made a seizure of some Liquors and was going to proceed irregularly as I thought upon it; so I prayed His Excell^{cy} that I might give directions to the Officer and Justices, of the peace, before whom the matter lay, to stay further proceedings, till the matter was better inquired into, and I was in the right of it, as will appear if ever it be necessary to make a more particular State of the case. And I hope Mylords, you will be so far on my side as to allow me the power of staying or proceeding in the Queen's causes as I think proper for Her Majesty's interest, and that the subjects may not be oppressed. But Mylords, here has happened a matter lately that hath sett M^{r} Collector more at odds with me.. The Eagle Galley

coming from England with a very rich Cargo, for the payment of the Garrison here, Mr Collector consulting some of the Town Lawyers was informed that she was lyable to seizure for breach of the Acts of Trade and Navigation, upon which he sends to me to give him and one of them a meeting, which I did; the points layd before me were the want of a Register, not being duely navigated with Master and Men (either of which I agreed to be a totall forfeiture) and importing Canary wines, which were said to be European goods not brought directly from England ettc—I differed with that Gentleman in that point of the Wines being European goods, and judged them not within that clause of the Act—But if they were as prize, I thought they might be carried into any Her Majesty's dominions without incurring any penalty. The seizure was made and then his Excellcy received a petition from Coll: Wenham to whom the Galley was consigned, that the seizure might be taken off; the Petition was referred to myself, and other Gentlemen of the Council to consider of it, and give our opinions thereupon to his Excellcy the next day in Council, which we did; and I with some others were of opinion that the Governour (if he thought fit) might discharge any seizure of this nature before information filed, it being wholly in the Queen's hands and power till then; His Excellcy resolved to do accordingly, and appointed an order to be prepared for that purpose; in the mean time Mr Collector sends to me to draw an information against the Galley and Cargo, or give way to somebody else to do it, I refused both, with this answer: that the matter of the seizure had been under the consideration of Mylord Cornbury and the Council, and I could do nothing in it till I knew the result of that. In a very little time after Mr Collector received the order of discharge from His Excellcy and with great reluctancy, at length obeyed the same, and took off the seizure from the Galley, but in a day or two reseized her again, filed an information and put her in suit without ever consulting me at all, as the way was in Mr Attwoods time tho' I desired no information might be received but from my hands, the Queen's and Governour's interrests being above the Informer's, and oftentimes such lame and imperfect ones have been filed in haste to get the benefit of Informing, that have cost much time and labour to sett them right, and I could heartily wish, some directions to Mylord Cornbury might be obtained from Her Majesty for the settling of this point, or to the Judge of the Admiralty. But to proceed in the former matter Mylords, upon the second seizure of the Galley. His Excellency sent for me, told me he was sure the Galley was well Registered and duly navigated; then there was only the point of the Wines, and some goods that wanted Cocketts, the want whereof (unless I have overlooked and missed the statute) affects not the ship or Vessel, only are liable to seizure themselves, or a double value to be paid by Owner or Lader of them. His Excellency commanded me upon the discourse we had (without any stated points in writing) to peruse the Acts of Trade and Navigation, and give him my opinion of them in relation to the present case under my hand; which I did, as I have above set forth the same to be, for which Mr Collector declares me opposite to the Queen's interrest and consequently not fit to serve Her Majesty, and I know not but he may tell your Lordpps as much, which made me think it necessary to lay a true state of that matter upon your Board, which I will Justifye to a Tittle, and leave it to your Lordpps to judge how farr I am guilty of the accusation, or not Guilty. The cause at present stands upon security to produce Cocquetts and make out the point of the Wines to be no forfeiture. I am apt to think his Excellcy will give your Lordpps some account of these transactions, and doubt not but he will do me justice therein. I shall not take upon me to give any account of affaires of Govern^{t}, your Lordpps will receive that from an abler and properer hand than mine. I thank God the power thereof is now in Her Majesty's subjects of

England, tho' I am sorry to say some of them are not so sensible of it, nor thankful for it, as might be expected from them. There are some Republican spirits amongst us, some that retain the Leven of the late factions and disorders, which render the Administration at present not so easy and current as it ought, even the Assembly which are just dismissed have shewed some touch thereof in the disputes they have had with his Excell^{cy} this sessions. But they are not many, and His Excell^{cy} knows them to a man, and will be vigilant over them. I have no more at present Mylords, but to beg either now, or at any other time a copy of my charge and liberty to answer before any censure be passed upon me. And to renew my assurances to Your Lord^{pps} of all truth & fidelity to Her Majesty and her affairs, all duty and obedience to Your Lord^{pps} and your commands from — Mylords — Your Honours most faithful. ettc

New Yorke 27. June 1704. Sa: Sh: Broughton

Lord Cornbury to the Lords of Trade.

[New-York Entries, B. F. 187.]

To the Right Hon^{ble} the Lords Commiss^{rs} for Trade and Plantations —

My Lords.

Having received your Lord^{pps} commands to give my opinion of certain Acts of the Gen^{l} Assembly of this province passed since the 2nd of March 1698, I ordered copy's of the list You were pleased to send me to be delivered to every member of Her Majesty's Council here, that is in the province, and at last they have made a Report to me upon those Acts, which I here send inclosed to Your Lord^{pps}, by which it will appear, that the two first Acts mentioned in the list, and in their Report, they are of Opinion should be confirmed; the reason they give for it is, because they think the same may tend to the peace and quiet of this province; in this I agree with them, though I must observe, that there are some persons Indemnifyed by that Act, who have always been the disturbers of the peace in this Country, and are now, and always will be (as far as they are able) irreconcilable Enemies to an English Govern^{t}, particularly one Samuel Staats, and one Abraham Governeur — the first is a Surgeon who was born in this province of New Yorke in the time of the Dutch Govern^{t}, went into Holland to learn his trade, and returned hither again, and was here at the time the Dutch surrendred this Province to the English; Upon which surrender articles were agreed upon, by which those of the Dutch nation, who had a mind to remain here, were to qualify themselves by certain Oaths, and there was a certain time limited, beyond which they were not to have the benefit of those Articles, if they did not qualify themselves. Accordingly this Samuel Staats stayed here till the time allowed was very nearly expiring, and then rather than endevour to make himself an Englishman, he left this Province and went to Holland, where he remained till a very little time before the Revolution, then he came hither, and joyned with M^{r} Leisler, was one of the most active men in this Country, and will never cease his endevours, till he brings this to be a Dutch Govern^{t} again, if he can. The other is one of those who (at the time of Coll: Fletcher's arrival in this Province) lay in prison, under sentence of death, only for Rebellion and Murther, but was reprieved by Coll: Fletcher, and since has obtained (as he

says) a pardon from the late Queen, but he has produced no such pardon here yet. I could mention others tho' not of so dangerous a nature but I am unwilling to make a longer digression, and ask your Lord^{pps} pardon for this. The fourth and fifth Acts, mentioned in the list, and the Report, are expired by their own limitation. The eighth act mentioned in the list, and Report is expired by its own limitation. The ninth, tenth, eleventh and twelfth in the list and Report the Gentlemen of the Council are of opinion ought to be confirmed, and I intirely agree with them in their opinions, because I take them to be absolutely necessary for this province. The thirteenth Act in the list is repealed by Her Majesty, which Your Lord^{pps} have been pleased to signify to me. The 14th Act is expired by its own limitation. The 15th Act in the list and Report has been reinforced since my arrival here, by a New Act of Assembly, which I hope Her Majesty will please to confirm. The 16th 17th 18th 19th 20th 21st 22nd 23rd 24th 25th 26th 27th and 28th Acts in the list and Report, were Repealed by an Act of Assembly since my arrival here, and I hope Her Majesty will confirm that Act for the reasons I sent to Your Lord^{pps} with the Act.

The third Act in the List and Report, is Repealed by an Act since my arrival, and I can not help being of opinion that it ought to be so, because that Act could intend nothing but to Justifye Rebellion by a law as will appear by the very words of the Act.

The seventh act is repealed, by the Act above mentioned, and the chief reason that induced me to consent to the repealing of that act, was, because by it, the Church was st[r]ipped of a Lease granted for seven years by Coll: Fletcher under the rent of sixty Bushels of wheat, and soon as that Act was passed, Mylord Bellomont granted the same farm to a Dutchman under the same rent. It is true several grants repealed, or vacated, by the Act passed in Mylord Bellomonts time, were very exhorbitant grants and I think ought to be vacated, particularly that to Capt^{n} Evans (which contains near three hundred thousand acres of land) and that for two reasons, first because the quit rent reserved, bore no manner of proportion with the grant, Secondly because the granting so vast Tracts of land to one single person, has notoriously hindred the settling of this Country. I must say the same of the Grants to Dellius, Pinhorn, Banker ettc and to Bayard, all these grants contain vast Tracts of land, and some of them, some of the best land in the Country. I should have thought, that if Capt^{n} Evans had had a grant of four or five thousand acres of land it might have sufficed, especially since he nor nobody for him has taken any care to settle or improve that land, which extends thirty miles on the West shoar of Hudsons River and would be a very good place to settle a Town, if those persons who have already offered me to settle there (who are above thirty in number) might have suitable quantitys of land to improve, and I must be of opinion that it would be very proper to have an Act passed here for the vacating of those grants last mentioned, which are really very exorbitant. However, I would not propose any thing of that nature to the Assembly here, till I receive Your Lord^{pps} commands upon that subject, which I intreat you I may have; The eighth act mentioned in the List and Report, being the same with the 15th I shall say no more with relation to it. Thus I have given Your Lord^{pps} best opinion I can upon the several Acts before mentioned, I hope it will be to Your satisfaction, if so, I am content; and now I am upon this subject I offer it to Your consideration, whether it would not be proper that I should have an account, what Acts of this Province have been confirmed, and what not, the reason of my offering this is, because there is no foot-steps in the Secretary's Office of this Province, nor in the Council books, which Acts have been confirmed, or repealed, or neither till the List Your Lord^{pps} were pleased to send me,

and very often in hearings before me in Council, the Lawyers (in their quotations of Acts) of one side affirm, certain Acts to be repealed, when those on the other side, affirm the same Acts to be confirmed; however this whole matter I referr and submit to your Lord^{pps} consideration and am—

My Lords.

Your Lord^{pps} most faithful humble Servant

(signed) CORNBURY

New Yorke
June the 30th 1704.

Lord Cornbury to the Lords of Trade.

[New-York Entries, B. F. 194.]

To the Right Hon^{ble} the Lords Commiss^{rs} for Trade and Plantations.

My Lords,

Your Lordships' letter of the 29th of April 1703, and of the 29th of July 1703. are come to my hands with the duplicate mentioned in the first, and Your Lord^{pps} are pleased to take notice that since that, you have not heard from me; I intreat you to consider, that the losses our people here have had in their shipping is the cause, why we have very few vessells now that go directly for England, I wrote last summer by Simmons, and by Bond, they were both taken; I wrote after that by the Virginia fleet I hope those letters got safe; I sent one letter since by Capt^{n} Hern, Capt^{n} of Her Majesty's ship Centurion. I beg Your Lord^{pps} to consider likewise the difficulty I lye under, with respect to opportunity's of writing into England, which is thus—The post that goes through this place goes Eastward as far as Boston but Westward he goes no further than Philadelphia, and there is no other post upon all this continent, so that if I have any letters to send to Virginia, or to Maryland, I must either send an Express who is often retarded for want of boats to cross those great Rivers, they must go over—or else for want of horses, or else I must send them by some passengers who are going thither—The least I have known any Express take to go from hence to Virginia, has been three weeks, so that very often, before I can hear from Coll: Nicholson what time the fleet will sail, and send my packets, the fleet is sailed—I hope we shall find a way to remedy that shortly, for Coll: Nicholson and Coll: Seymour have wrote me word, that they will be here in September, and I do then intend to propose to them the settling of a Post, to go through to Virginia, by which I shall have opportunity to write Your Lord^{pps} by every Ship that sails from this Continent—I must further acquaint Your Lord^{pps} that our letters do not come safe by the way of Boston, I have had several letters by that way, which have been broken open; however I will assure you, I will omitt no opportunity of writing. I now send Your Lord^{pps} the opinion of the Gentlemen of Her Majesty's Council of this Province concerning the Acts of Assembly of which you were pleased to send me a List, I have likewise given Your Lord^{pps} my opinion upon the particular grants, which I take to be exorbitant—As to the Act for preventing vexatious suits ettc, the Secretary informs me there are noe suits commenced in New Yorke, upon any cases relating to that Act—I shall punctually obey all the directions you shall send me. I have received the

letters Your Lo^{pps} mention in Your letter of the 29th of July for the several Governours, which I have sent to them but have no answer yet; as soon as I have, I shall not fail to transmitt them to you. The Acts disallowed by Her Majesty were taken off the file, but not destroyed, so I have ordered the Secretary to return them into the Office again. I herewith send an account of all the causes depending in a supream Court here, I likewise sent you the Countess of Bellomonts Accounts and Capt: Nanfan's, but having writ a letter upon each of those Acc^{ts}, I will not trouble your Lord^{pps} upon that subject any more now, Your Lord^{pps} are pleased to order me to cause just and reasonable security, to be taken for the said Capt^{n} Nanfan's answering the Ballance of his account in order to his being released from his confinement—In order to satisfy Your Lord^{pps} at whose suit he is confined, I herewith send you the Affidavit of the High Sheriff of this County, by which it will appear that he was arrested at the suit of the Queen, whereupon he gave security to answer such sums as should (upon the stating his accounts) appear to be due from him to the Crown, or to the forces here, upon which he was immediately discharged, he has since been arrested at the suit of private persons, who I am satisfyed, would discharge him upon any reasonable security, but I know he has refused to give any, but still insists that I am to pay that money because M^{r} Andrews received it, and I had done so, if I had not received advice from M^{r} Thrale, that I was to pay the subsistance from the 9th of May 1702 forward, which I have done, it would have been the same thing to me if I had paid from the 25th of December 170$\frac{1}{2}$ for I could have paid but once, but it appears by the account sent to me by M^{r} Thrale, and will appear by the Accounts now sent to Your Lord^{pps}, that Capt^{n} Nanfan (if he had paid the money he is arrested for). would be still Debtor to the Crown upwards of £200. however upon Your Lord^{pps} Commands I will endevour to prevail with the persons concerned to take reasonable security from Capt^{n} Nanfan, and I do not doubt, but I shall succeed if he pleases to give it of which I will inform you by the next. I now beg leave to inform Your Lord^{pps} that we want all manner of Stores of Warr, some small Arms, great Gunns ettc as I have formerly informed your Lord^{pps} and upon which you were pleased to make a representation to the Queen, but we have yet received nothing of that nature from England, since I arrived here, only a hundred small Arms and fifty Barrells of powder came with me; I intreat Your Lord^{pps} will be pleased to use Your endevours, that we may be supplyed, especially now in time of Warr.

The Gen^{l} Assembly of this Province have lately satt and passed some Acts which I herewith transmit to your Lord^{pps} with duplicates of some others formerly sent; the Acts last past were these: first, an Act granting sundry priviledges and powers to the Rector and Inhabitants of the City of New Yorke, of the Communion of the Church of England as by Law established, the second is an Act for the better explaining an Act made in the second year of Her Maj^{tys} reign intituled: an Act to oblige persons to pay their arrears of one Thousand pounds Tax ettc: The third is an Act to Repeal the last Clause in an Act of Assembly intituled an Act for the quieting and settling the disorders that have lately happened within this Province ettc. The fourth is an Act to charge the several Cities and Counties of this Colony with £143.10.10. for fitting and furnishing a Room for the General Assembly ettc. The fifth is an Act for the better laying out, further regulating and preserving publick commons high ways ettc—The reason for my ascenting to the first of these Acts is because the Rector and Vesty of Trinity Church have a charter from Coll: Fletcher, when he was Gov^{r} here, and they have been told that Charter is defective, so they applyed to me for one that might be more sufficient; I told them I did not perceive that by my Commission I have any power to grant Charters of

incorporation, and that I would not venture to do it without such a power, some time afterwards they came to me again, and desired I would give them leave to offer a Bill to the General Assembly to be passed into an Act for settling the Church, I told them I did consent to it, because by that means the Queen would have the matter fairly before her, and I most humbly intreat Your Lord^{pps} favourable representation of that Act to Her Majesty that it may be confirmed; the second is an Act occasioned, by a difference among the Justices of Peace of King's County, which made that Act absolutely necessary for the effectual recovering of those arrears, I hope it will be confirmed—the third is an Act passed in pursuance of Her Majesty's Commands to me; The fourth is an Act I readily consented to because till this time the Assembly has always sat in a Tavern, which I thought was a scandalous thing, and therefore I did several times recommend it to some of the Members of the Assembly to think of some method to provide a place fit for them to sit in, this is now done by this bill, and I hope her Majesty will be pleased to confirm it. The fifth is an explanatory Act (sofar as relates to Richmond County) of a former act passed for laying out highways in this province, of which there is great need, for till now (except a very few places) there are no roads passable, this is so necessary an Act, that I must intreat Your Lord^{pps} favourable recommendations of it to the Queen, that it may passe. Thus I have given Your Lord^{pps} an account of the Acts past this last Sessions, which has been longer than it needed have been; through the endevours of some ill affected persons who had a mind to push the Assembly to such extravagant proceedings, as might move me to dissolve them, hoping by that means to get a Dutch Assembly, These methods did prevail with the Assembly to offer at some things which I thought not proper for them to meddle with; however having told them my mind of those things, I thought it more proper to adjourn them, then to dissolve them, hoping they will grow wiser when the hot weather is over;—I will send you an Acc^{t} what those things are, as soon as their Clerk can prepare a copy of their Journal. I now take the liberty to acquaint your Lord^{pps} that lately some French Indians have been seen a dozen miles above Albany, I have given the necessary directions for the defence of the frontiers, and shall go up in four days myself—I am

My Lords—

Your Lord^{pps} most faithful
humble servant
(signed) CORNBURY.

New Yorke
June the 30th 1704.

Judge Mompesson to the Earl of Nottingham.

[New-York Papers, VI., No. 12.]

New York July 4th 1704.

My Lord.

Thô I fear I have not the honour of being personally known to yo^{r} Lordship, yet I hope my presumption in troubling yo^{r} Lordship with these lines will be excusable because I am a serv^{t} to y^{e} goverment of Eñgl. being appointed Judge of Admiralty causes, for this & other Provinces in America (tho' of late my commission has been much abridg'd.) His Excellency my L^{d} Cornbury her Majesty's Governor of this Province and New Jersey has been pleased to

shew me her Majesty's commands sign'd by yo^r Lordship, taking notice of complaints that have been made to her Majesty of abuses in the Courts of Admiralty & of irregularityes in the disposition of y^e proceed of prizes, & requiring the s^d Governour & others whom it may concern to be aiding & assisting in the recovery of her Majesty's dues & of the L^d High Admirals. And my commission at first extending thro' all that part of America y^t lys North East of Maryland, I shall crave leave to lay before your Lordship some observations y^t I made relating to her Majesty's & y^e Lord High Admiral's dues.

His Excellency my Lord Cornbu y dos take all due care in this Province & New Jersey, w^ch will tend to y^e prejudice of y^e trade of these Provinces, if the Governm^t of England dos not speedily looke after & prevent the abuses in y^e Proprietary governments; for now most prizes are carryed thither, particularly to Road Island, for her Majesty's and y^e Lord High Admirals dues are sunk there. Before I was concern'd there, the Governour and Council tooke upon them to determine Admiralty Causes; and the Governour M^r Cronston pretended to grant commissions to privateers & by colour thereof a prize was taken & brought into Road Island and condemn'd & adjudg'd a prize to y^e captor. This was since Cöll. Dudley was Vice Admirall there. 'Tis true indeed at first he oppos'd the proceedings 'till his son as Advocate rêcd. 50 or 60 pieces of eight, besides, &^c; and then he suffred them to go on to condemnation; and one Tongerlon a French man or Dutchman never naturalized has lately rec^d the like commission & has taken five or six prizes Dutch Curaso traders; one of them is sent already to Road Island & y^e others are dayly expected. And yet I am credibly informed by persons who came thence that he has no other Commission but from the Proprietary Governour Cranston; and I am more enclin'd to beleive it, because of y^e condemnation before mention'd w^ch I had from Cöll. Dudley himselfe & M^r Newton, who acted as Judge, being Deputy to M^r Atwood. And indeed they did in all things behave themselves at Road Island when I was there as if they thought themselves out of y^e dominions of y^e Queen of Eñgl; and till they are reduc'd to their due obedience to y^e Crown of Eñgl. the Royal Governments will suffer very much in trade. There may be legal ways found out for bringing these people to better obedience, notwithstanding their charters, perhaps by Commissions of Enquiry for informing the Parliament or for grounding a sciri facias ag^st their patents. And I doubt not but many of the powers w^ch they exercise, will be found to be usurped, without any pretence of law on w^ch to ground them, and many forfeitures of w^ch they had once a right to claim. In the mean time it seems to me that the Governours of Connecticute & Road Island, who are chosen every year and act without y^e Royal approbation or taking y^e oath &^c forfeit for every year £1000 sterling, by y^e Stat: 7 & 8. W. 3. c. 22. for preventing frauds and regulating abuses in the plantation trade, sect. 4^th & 16^th. And that the same may be recovered in the Court of Admiralty in the Plantations, by sect. 7. of y^t Stat: But 'tis a matter of so great concern that I would not direct such a prosecution before me in Connecticute, without the advice & direction of y^e government at home, As for Road Island, I have nothing to doe with it; Cöll. Dudley having gotten my commission superseded for that place as well as for Massachuset's Bay & New Hampshire, for his friend Cöll. Byfield, a true New England man, a merch^t and Independant Elder or Deacon. But if my commission were continued for y^t place, I doubt how far I, or any man living, could pretend to be serviceable to y^e Crown or Church of England under the command or influence of Cöll. Dudley or whilst he is Vice Admiral or Capt. General there; or how there can be any due prosecution whilst his son is Attorny or Advocate Gen^l there. And with humble Submission to yo^r Lordship, iustructions alone, from Engl^d will not

be sufficient; new and larger powers must be given to persons y^t^ are willing & able to doe the Crown & Church of England service, and that very speedily, for antimonarchical principles and a malice to y^e^ Church of England dayly encrease in all those places where y^e^ Magistrates encourage them, w^ch^ is don in most Proprietary Governments, not omitting Boston. And to my own knowledge some of their leading men already begin to talke of shaking off their subjection to the Crown of England.

My Lord

There is one thing more I must crave leave to mention, as tending to her Majesty's service & y^e^ publick profit, a strict enquiry after pyrates & goods pyratically taken. My Lord Cornbury has made some progress therein in y^s^ Province & New Jersey and I doubt not but in a convenient time a good account will be given of y^e^ same. But the neighbouring Colonys, especially Road Island have more of such effects amongst them. I began to be prying into them whilst I was there, w^ch^ I believe hastned the superseding my Commission for y^t^ place & others. The persons concern'd are rich and wealthy men, & should any prosecution be sett on foot ag^st^ them whilst the goverment is there in the same hands as now, both on land and sea, the pyrates would be in less danger than the prosecutors or impartial judges. And tho' Col. Dudley has condemn'd 14 or 15 pyrates on a commission near two years since expired; yet men y^t^ will make law & justice their guide expect a renewal of y^t^ commission before they proceed in any such causes.

My Lord

I must now beg pardon for my prolixity as well as presumption; but if this finds a favourable acceptance yo^r^ Lordship shall always be most readily and faithfully obeyd in all the commands you shall be pleased to lay on

My Lord

Yo^r^ Lordships

Most devoted humble servant

(signed) Roger Mompesson.

Lords of Trade to Lord Cornbury.

[New-York Entries, B. F. 204.]

To the Right Hon^ble^ the Lord Cornbury Governour in New Yorke.

My Lord.

We are to acknowledge the receipt of Your letters of the 17^th^ 22^nd^ 24^th^ 26^th^ and 30^th^ June with the papers therein referred to, which we shall take into consideration, and return our answers by the first opportunity, in the mean time we shall only observe that the Acts transmitted with the foresaid letters have not any dates nor so much as the year of the sitting of the Assembly in which they were past, and therefore we desire Your Lord^p^ to inform us thereof by your first letter, and that for the future Your Lord^p^ would take care that the time of Your Lord^p's^ passing any acts be always certifyed by you at the end of the sâid Acts.

We send you here inclosed Her Majesty's letter under Her Royal signature directing your proceedings in relation to Her Majestys, and the Lord High Admiral's shares of prizes brought

into your Govern^{t} by any of Her Maj$^{ty's}$ ships of war, privateers, or others having letters of Mark, which directions you are punctually to observe, and to take care as much as in you lies to prevent embezlements of prize goods and assist the prize Officers, by your Authority as occasion requires in the execution of all orders to them directed, by any Court of Admiralty legally established in Her Maj$^{ty's}$ Plantations.

We likewise herewith inclose to you Her Majesty's additional Instruction relating to the Acts for Trade and Navigation, by which you will perceive that the Law requiring the Master, and at least three fourths of the Mariners of all vessells importing or exporting any goods into or out of Her Maj$^{ty's}$ Planta^{tns} to be English, is by a late Act of Parliament enlarged, during the present War, so that only the Master and one Mojety of the Marines at least is now required to be English; which Instruction you are also to observe and to give notice accordingly to all Masters and Owners of vessells, and to all other persons concerned in the Collecting of Her Majesty's Customes or anyways inspecting the Navigation and Trade into or out of the Provinces under Your Govern^{t}, that they may regulate themselves accordingly during the present war and no longer.

And whereas Your Lord^{p} does by Your letter of the 30th of June represent unto us, that the Colony is in want of all sorts of Stores, having received none from England since those Your Lord^{p} took with you, so that you pray a supply, we are to observe to your Lord^{p} that we dispair of success in our Application to the Queen for such supply of Stores until your Lord^{p} do give us an account of the disposal of such Stores as have been of late years sent to New Yorke, and more particularly of those your Lord^{p} took with you. And further we desire that upon occasion of such demand, you do enumerate the particulars and quantities, and to what use they are to be applied—We are—My Lord

Your Lord$^{p's}$ most humble servants.

PH: MEADOWS
W^{m} BLATHWAYT
MATT: PRIOR.

Whitehall
August 24. 1704.

Attorney-General Northey to the Lords of Trade.

[New-York Entries, B. F. 218.]

To the Right Hon^{ble} the Lords Commiss^{rs} for Trade and Plantations.

May it please your Lordships.

In humble obedience to your Lord^{pps} order of reference, signifyed by M^{r} Popple, I have considered of a Law passed in the General Assembly of New York intituled.

An act declaring the illegality of the proceedings against Coll: Nicholas Bayard, and Alderman John Hutchins for predended high Treason, and for reversing and making Null and void the said Judgements and all proceedings thereon.

And do humbly certifye your Lord^{pps} that I find nothing therein contrary to Law or Justice or prejudicial to Her Majesty's Royal prerogative. But in regard that the Record of the Attainders are to be obliterated or distroyed, persons who have acted innocently under the orders

of those who had power to command them may thereby be subjected to actions for what they have so done without any possibility of defending themselves. I wish there had been in the Act a clause for their indemnification, and I submit it to Your Lordships' consideration, whether Coll: Bayard and Mr Hutchins should not be required under their hands and seals to declare that they will not bring any such Action—

All which is most humbly submitted to
Your Lordshipps' great wisdome—

31st August 1704. EDW: NORTHEY.

Captain Thomas Wenham to the Lords of Trade.

[New-York Papers, V. W. X., X. 2.]

Extract of a letter recd from Capt Thomas Wenham of New York dated 2d Novr 1704.

I have seen a Proclamation for settling the money in these parts; if intended to doe good they are mistaken the most that can be, for it will certainly ruin these parts, that have not staple commodities of their own produce to answer what effects they receive from England, so all the money must goe, and if noe cash among us, no trade; and as 'tis settled we can't buy a loaf of bread or a joynt of meate for our family; for 'tis hardly possible to weigh or compute every groat & sixpence we pay. If they had sett our small money at a certain rate without weighing and have weighed nothing under a p$\frac{1}{1}$ $\frac{8}{8}$, and allowed a piece of eight of seaventeen penny weight to pass for six shillings, must have been tolerable; but to weigh all small money, and to sett the standard at seaventeen penny weight & a half, when not one piece in a hundred weighs so much, we cannot but think those that recomended that to be done understood little of the matter: and if not undone, we are soe.

(Indorsed) Communicated to the Board
by Mr Blathwayt

recd
Read } 9. Jan. 170$\frac{4}{5}$.

Lord Cornbury to the Lords of Trade.

[New-York Entries, B. F. 243.]

To the Right Honble the Lords Commissrs for Trade and Plantations.

My Lords,

I trouble Your Lordpps with these few lines to acquaint you that Dr Bridges, whom the Queen was pleased to appoint Chief Justice of this Province, is dead, after a very tedious sickness, and that there might be no failure of Justice I have appointed Mr Roger Mompesson

to be Chief Justice till Her Majesty's pleasure may be known. I hope she will be graciously pleased to confirm M^r^ Mom esson in that place, he has held two Courts already, in which he has given General satisfaction to all people, and has dispatched a great many causes which had been depending a great while; I dare be bold to say he will serve the Queen with the utmost fidelity, and indeed in this Country that place should be filled by a man of resolution, which M^r^ Mompesson does not want. I ask Your Lord^pps^ pardon for urging this so much, which I would not have done, did not I think it would be for Her Majesty's service — I am

My Lords, Your Lordpps — ettc.

CORNBURY.

New Yorke
Nov^r^ 6^th^ 1704.

Lord Cornbury to the Lords of Trade.

[New-York Entries, B. F. 245.]

To the Right Hon^ble^ the Lords Commiss^rs^ for Trade and Plantations

My Lords.

In my letter of the 30^th^ of June last I gave Your Lord^pps^ an account of the reasons why no more of my letters came safe to Your hands, occasioned by the taking of our homeward bound ships and the want of intelligence here from other parts of the Continent. I did acquaint Your Lord^pps^ that I hoped to propose a remedy for the later, at my meeting with Coll: Nicholson and Coll Seymour at which time I likewise hoped we should have seen Coll: Dudley, he having writ me word, that he would meet them here; I did intend to have proposed to them, the laying a Tax in each province by Act of Assembly, for the settling and defraying the charges of the post, which then might have gone from Boston to North Carolina; but this meeting was hindered by several accidents; first, Coll: Dudley was busy about his expedition to the Eastward, Coll: Nicholson was hindered by the sitting of the Assembly of Virginia, and as soon as the Assembly of New Yorke was over, and I thought to go into New Jersey, to the Assembly which was to sit at Burlington, I was forced to adjourn them, in order to go up to Albany where there was an alarum that the French were marching towards that place with a thousand French and Indians. I went, and when I arrived there I found the people in a very great consternation, but that was over in a few days, by the arrival of some Indians, I had sent out, to see if they could discover any number of men marching our way; at their return, they informed me they had been as far as the Lake without seeing any body, but that upon the Lake they had met some Ottawawa Indians who had informed them that three hundred French and Indians were marched with a design to attempt Northampton in New England, but that they could not find, there were any marching our way. However, by this accident, I had an opportunity to see how far we may depend upon our own people, and the Indians too in case of need, and I must say the Militia of the County of Albany were very ready if the Ennemy had been coming; I could in eight and forty hours time have drawn together upwards of seven hundred men, reckoning the Garrison, the Militia of Albany, and that of Ulster Counties; and the Indians of the Five Nations were so ready that they all left

their Castles and were coming towards Albany before I could send them any orders; at the same time that I was at Albany where I stayed but ten days, there was an Alarum at New Yorke occasioned by a Gentleman who coming from Long Island informed the Council, that ten French Men-of-war were come within Sandy hook, upon this the Gentlemen of the Council sent an express to me to desire me to make what haste I could down to New Yorke, and at the same time sent to the Collonels of the Militia in the several Counties about New Yorke to get their men ready to oppose the Ennemy. I did make all the haste I could, but before I could get to York, their fears were over, for the ten Men of Warr were dwindled away to one French privateer of fourteen Gunns who took just without Sandy hook a ship commanded by one Sinclair who was bound to this Port from England, on board of whom were all the packetts your Lord^{pps} were pleased to send me, they were given into the charge of one Glenerosse a Merchant of this place who left them on Board by which means, they are fallen into the hands of the Ennemy. I can not say that the Militia of this City did their duty, for very many of the Dutchmen run away into the woods, but the Militia of Long Island deserve to be commended; Coll: Willet who commands the Militia of Queen's County, in ten hours time brought a thousand men within an hour's march of New York, the Militia of King's County was likewise in good readiness, but their being no occasion for them they were sent home. By this account Your Lord^{pps} will perceive, how necessary it is to have a standing Force in this Province, where we are exposed to the invasions of the Enemy by sea in the Southern parts of it, and to the attacks of the French and Indians by land in the Northern parts of it. If the proposal I made to your Lord^{pps} formerly had been approved of, I make no doubt but it might have been effected with much less charge than the business of Guardaloupe has cost, and I conceive would have been a much greater advantage to the Crown of England, than the taking of that Island could have been. The more I inquire into that matter the more feasible I find it, but not with a less force than I proposed to your Lord^{pps}. I have seen a copy of a memorial M^{r} Livingston laid before Your Board, in which he seems to be of opinion that a Regiment of well disciplined men with some Officers to head the men that might be raised here would be sufficient, and perhaps it might have been so when S^{r} William Phipps attempted the taking of it, but the case is much altered since that time, for that attempt though very ill contrived and worse executed, did so fully convince them, how easy it was to take Quebeck, that they have made it much stronger than it ever was, and have erected very good Batteries along the Water-side which will make that undertaking more difficult than it was then, and the reason, that made me propose so much a greater force than M^{r} Livingston has mentioned, is because I should be very sorry to propose any thing less than will effect the thing proposed, and if I have proposed a greater Force than is of absolute necessity, I hope I shall not be blamed for that; I did it because I was not willing so good a thing should miscarry for want of sufficient Force, and the same reason still remaining I can not help being of the same mind still.—When the Eagle Galley sailed it was so soon after the Assembly was adjourned, that the Clerk could not get a copy of their proceedings ready to send by that ship, therefore I now send it to your Lord^{pps} by which you will perceive that the Assembly here is going into the same methods, that the Assembly's of some other Provinces upon this Continent have fallen into, who think themselves equal to the House of Commons of England, and that they are intituled to all the same powers and priviledges, that a House of Commons in England enjoys; how dangerous it may be to suffer them to enjoy and exercise such powers, I need not tell your Lord^{pps}, only I shall observe that the holding of General Assembly in these parts of the world, has been settled neither by Act of Parliament in

England, nor by Act of Assembly here, so that the holding General Assemblies here is purely by the grace and favour of the Crown. This I have told them often, but notwithstanding that, they will pass no Bill for the service of the Queen, nor even for their own defence, unless they can have such Clauses in, as manifestly incroach upon the prerogative of the Crown or in some measure destroy the power of the Governour (which will pretty well appear by a Bill prepared by them this Sessions, a copy of which I herewith send to Your Lord^{pps}). I did not think proper to suffer either, so I adjourned the Assembly to the 2nd day of October. I did once intend to have dissolved them, but upon the account I had, that some persons here, had put them upon those methods, in hopes to provoke me to dissolve them, and the assurances I had from several of the members, that they would take better measures if they might have another sessions, I adjourned them to the second day of October, at which time they met, but instead of taking better measures, they have gone on in the same, where they dont only incroach upon my right (for that I should not have minded) but they take it upon them to appoint at what rates the money shall pass here, which I take to be the undoubted right of the Queen—Your Lord^{pps} will perceive by the copy's I send herewith that the Gentlemen of the Council made proper Amendments to the Bill, but these Gentlemen have thought fit to declare, in their messague to the Council on the 4th of this month (that it is inconvenient for that house to admit of any amendment made by the Council to a Mony Bill) by which Your Lord^{pps} will easily see, that they intend to make the Council as inconsiderable as they can, it is a thing was never attempted by any of their predecessors, but as the Country increases, they grow sawcy, and no doubt but if they are allowed to go on, they will improve upon it, how far that may be of service to the Queen I leave Your Lord^{pps} to Judge. I have lately perused the grant made by King Charles the 2nd to His Royal Highness the Duke of York of all the lands from a place called S^{t} Croix to the Eastward of New England to the Eastern shore of Delawarre River, by which it appears that, that grant impowered the Duke of York to correct, punish, pardon, Govern and Rule all such the subjects ettc, as shall from time to time adventure themselves into any of the parts or places aforesaid, or that shall or do at any time hereafter inhabit within the same, according to such Laws, Orders, Ordinances, Directions and Instruments, as by the said Duke of York, or his assigns should be established, and in defect thereof in cases of necessity according to the good discretions of his Deputies, Commissioners, Officers or Assigns, respectively, as well in all causes and matters capital and Criminal or Civil, both marine and others ettc. as will more plainly appear to Your Lord^{pps} by the Copy I herewith send of the said grant, and it is certain that in the time that Mylord Limerick was Governour of this Province for His Royal Highness the Duke of York, he Governed without Assemblies, and even after King James came to the Throne, the same Lord continued the same method; and certainly if the late King Charles the Second could grant that power to the Duke of York at that time Her Majesty may exert the same power if she pleases. I intreat Your Lord^{pps} to believe that I am not pleading for the laying aside of Assembly's, it is far from my thoughts, but I think it my duty to acquaint you with what I take to be the Queen's right, especially when Assembly's begin to be refractory; when I have done that, I have done my duty, and shall wait Your Lord^{pps} declarations, which I shall always punctually observe—In the mean time, I have this day dissolved the Assembly and intend to issue writts for the calling of another in March next, which I hope will behave themselves better than the last, however I am sure they can't be worse;—I am going to morrow to New Jersey to the Assembly there. I take the liberty to beg your Lord^{pps} that I may have all manner of stores sent over, I have not a

hundred and twenty barrells of powder left, and several of them are spoiled, I have no small arms at all, no Cartouch boxes nor paper, not one bed for the men to lye upon, but what has been peiced over and over again, not a sword in the Garrison, nor a dagger if the Enemy should attempt any thing upon our frontiers this winter, we shall not have powder enough left for salutes. I intreat Your Lord^{pps} to intercede with the Queen that some presents may be sent over for the Indians, for if we must buy them here they will cost three times the price they will cost in England and sometimes the goods proper for the Indians, are not to be got here for money, such as light guns, Duffles, Strowds, Kettles, Hatchets, Stockings, Blankets and powder; and till Canada is reduced, we shall never be able to keep the Indians steady without presents. I must further intreat Your Lord^{pps} to intercede with Mylord High Admiral, that a Man of War may be appointed for this province, if there is not one appointed — The French privateers will intirely distroy our Trade to the West Indies, which will soon distroy our Trade of this place which consists chiefly in flour and provisions, and if I may propose, a ship of 40 gunns will be the fittest for this place. Thus I have given Your Lord^{pps} an account of our present condition. I intreat you to represent our condition to Her Majesty that we may be supplyed early in the spring, else we shall be in a very poor condition even to defend ourselves if we should be attacked; however I intreat Your Lord^{pps} to believe that nothing shall be wanting on my part for the Queen's service, as long as Her Majesty shall please to command me to serve her here — I am — My Lords,

Your Lord^{pps} most faithful
humble servant
CORNBURY

New Yorke
Nov^{r} 6th 1704.

The Lords of Trade to the Queen.

[New-York Entries, B. F. 233.]

To the QUEEN'S MOST EXCELLENT MAJESTY

May it please Your Majesty,—

We herewith humble lay before Your Majesty an Act, passed in the General Assembly of New Yorke, declaring the illegality of the proceedings against Coll: Nicholas Bayard, and Alderman John Hutchins for pretended high Treason, and for reversing and making Null and Void the said judgement and all proceedings thereon, Upon which having had the opinion of Your Majesty's Attorney General in point of Law, that he finds nothing in the said Act contrary to Law or Justice or prejudicial to Your Majesty's Royal prerogative; but in regard that the Records of the Attainders are by the said act to be obliterated and destroyed, and that persons who had acted innocently under the orders of those who had power to command them, may thereby be subjected to action for what they have so done, without any possibility of defending themselves, and he thereupon wishing there had been in the Act a Clause for their indemnification, we humbly submit to your Majesty whether Coll: Bayard and M^{r} Hutchins should not be required to enter into regognizance upon Record, each of them for themselves and for each other, in the penalty of £5000 that they will not either of them bring any such Actions; or otherwise, that a new Act be passed with proper Clauses for the

Indemnification of persons who may be obnoxious to the Law by the defect of this Act; and upon either of the said conditions to be there determined, viz: The return of a new Act so amended, or a certificate from your Majesty's Govr of New Yorke, that the said Bayard and Hutchins have given security as aforesaid, we humbly offer that it may be signifyed to the said Govr that your Majesty will be pleased to ratify and confirm either this present Act or the said New Act with proper amendments as shall be expedient.

All which is most humbly submitted

PH: MEADOWS
WM BLATHWAYT
JOHN POLLEXFEN
MAT: PRIOR

Whitehall
Decr 15th 1704.

Robert Livingston, Esq., to the Lords of Trade.

[New-York Papers, V. W. X., X. 1.]

To the Right Honble the Lords Commissioners for Trade and Plantations &c

The humble Petition of Robt Livingston

Sheweth.

That he hath by his humble petition sett forth to her Majestie that Coll: Fletcher late Governour of New York suspended your Petr from his Office of Secretary for ye Indian Affairs at New York without any just cause, and therefore prayed that Her Matie would be pleased to vacate the said suspension and restore him to the capacity of receiving the recompence of his long services, and since her Matie hath been graciously pleased to referr ye said peticôn to your Ldps who are ye only proper and competent judges of ye Petrs services in that Office, and that yr Ldps are to report your opinion to her Matie in Councill what yr Ldps. conceive fitt for her Matie to doe thereupon, he humbly takes leave to represent to yr Ldps. that since his said salary was granted him by his late Majestie upon ye concurrent reports of the then Lords of ye Committee of Trade, and Lords Commissioners of ye Treasury in consideration as well as of his then past as of his future service, and that it is admitted that he constantly and faithfully perform'd ye duty ever since; he humbly hopes yr Ldps. will be pleased to make a favourable report that ye sd suspension may be vacated, since ye suspension was virtually taken off, as far as he could doe it, by the late E. of Bellomont, who examin'd into that matter by his late Matyes instructions, and made a report to yr Ldps: in his favor, & commanded your Petr to proceed in ye execution of ye sd office, giveing him warrants upon ye revenue there for his said salary; but the revenue of N. York being borrow'd and apply'd to pay ye contingencys of ye established forces there, in default of timely remittances from England to pay ye said forces, the Petrs whole salary amounting to £875. st. to ye 25th of March last, remains still unpaid; and he further humbly hopes yr Ldps. will recommend him to her Matie that he may be paid out of ye surplus of ye 30 pr Cent accrueing by the difference in ye value of money current in ye sd Province from Sterling money, & mentioned to be deducted out of ye pay of said officers by ye Commissioners of ye Army Accounts, pursuant to a clause

in an Act of Parliament made the last Session, entituled an Act for punishing mutiny desertion &c which accordingly is done, & ye sd Commissioners of ye Army Accounts have certified that there is £2457.14.0½ surplus after ye officers and other uses mentioned in ye Warrants in that behalf made are satisfy'd, which Her Majesty's Atturney Genll is of Opinion is the proper Fond for ye Petitioners satisfaction, as by his report to my Lord Treasurer (a copy whereof is hereunto annexed) appears.

Your Petr therefore humbly prays that yr Ldps. would be pleased to recommend his Case favourably to her Majestie that he may in consideration of his long and faithfull services for 29 years past, have his Salary ordered out of the surplus of ye 30 pr Cent, & yt her Matie would graciously be pleased to confirm him in his said Office and that his said salary for ye future may be directed to be paid out of her Majes Quitt Rents arising in yt Province.

And your Petr shall ever Pray &c

Robt Livingston.

Attorney-General Northey to the Lords of Trade.

To the Right Honble Sidney Lord Godolphin Lord High Treasurer of England.

In humble obedience to your Ldps. order signified to me by Mr Lowndes, I have considered of the annex'd case of Rt Livingston Esqr and of the annexed clause in the late Act of Parliament made for punishing mutinys Desertion and false Musters, and in regard the surplusage stated in the case did arise by ye application of money rais'd in New York applicable to ye payment of ye salary of Mr Livingston and others, ye Civill Officers, and not to ye payment of ye Soldiers who were provided for by the Establishment in England, but were paid with that money which was intended to have paid Mr Livingston, I am of opinion in Equity & Justice the fund provided for those soldiers became charg'd & indebted to repay so much as was advanc'd to pay ye soldiers out of that money provided for ye Civill government at New York, in default of remittances from England to pay them; and what was due to ye severall Officers intituled to any part of ye surplusage or applicable to other uses mention'd in any warrants referr'd to in the clause being satisfied, as ye same are alleadg'd to be, Her Majesty may lawfully direct ye moneys so advanc'd at New York to be repaid out of ye remainder of ye surplusage, and applyed as it should have been, had it not been advanc'd for ye service of the Forces, and this without breaking into ye Appropriation, ye services in the warrant for wch ye appropriation was made by ye Act being serv'd, and ye fund for ye soldiers having had ye benefit of ye money advanc'd.

All which is humbly submitted
to your Lordship's great wisdom

Ed: Northey

Aug: 11. 1704.

(The Case.)

Within the Province of New York in America there is a revenue ariseing from the customes, Excyse &c which is apply'd to pay the Salary's of the Governour & other Officers & oyr charges of ye Civill government there

There are likewise four Company's of Soulders kept there upon an English Establishment, & are paid by money remitted thither from England.

By y^e^ difference of y^e^ value of money current at New York from Sterling money, a surplus of 30 p^r^ Cent accrued.

This Surplus has from time to time by severall warrants been directed and apply'd first for y^e^ pay of a Chaplain, Surgeon & other inferior officers added to the Establishment of y^e^ Forces there, & y^e^ remainder to the Contingent uses of those forces & of y^e^ fortifications of New York.

His late Ma^tie^ King William the third gave a Commission to Rob^t^ Livingston to be Secretary or Agent for y^e^ government of y^e^ Indians with a salary of 100£ p^r^ Annum payable out of y^e^ revenue of New York; to whom there is due for 8 years 3 Quarters salary y^e^ sum of Eight hundred seventy five pounds, which arrear was occasioned by this means.

The pay of y^e^ Forces was not remitted to New York for 3 years & a quarter, and to answer the contingencys of y^e^ Forces & fortifications four thousand pounds of y^e^ revenue ariseing at New York and appointed to defray y^e^ salarys & charges of the Civill government, was borrow'd and apply'd to y^e^ uses of y^e^ military part of y^e^ government, and there was not sufficient left to pay any part of M^r^ Livingston's salary.

Upon a late computation of y^e^ arrears of y^e^ forces at New York there appear'd to be due to them a sum of £13000 or thereabout, and by the annexed clause in an Act pass'd in y^e^ last Parliament, y^e^ Commissioners of the Army Accounts are appointed to state an account of y^e^ 30 pounds p^r^ centum ariseing by y^e^ difference of New York money from Sterling money; the Commiss^rs^ have certified £2457.14.0½ to be remaining in surplus, after y^e^ Officers and y^e^ Contingencys of y^e^ Forces & Fortifications are satified.

QUERE. The revenue appointed to pay M^r^ Livingston's salary haveing been borrowed and apply'd to pay the Contingencys of y^e^ Forces & Fortifications, w^ch^ has occasion'd this 2457£ 14^s^ 0½^d^ surplus of y^e^ 30 p^r^ Cent; May the Queen direct any part of y^t^ surplus money to pay M^r^ Livingston's Salary, and such direction be within y^e^ intent of y^e^ Act.?

Report of the Lords of Trade on the Petition of Robert Livingston, Esq.

[New-York Colonial MSS. LIII.]

To the QUEENS MOST EXCELLENT MAJESTIE

May it Please your Majestie

In Obedience to your Maj^es^ Order in Councill of y^e^ 14^th^ of y^e^ last Month, upon y^e^ Petition of Robert Livingston of New York, setting forth that y^e^ Pet^r^ having been Constituted Secretary for y^e^ Indian affairs by his late Maj^es^ Commission dated y^e^ 27 January 169⅝ with a Salary of 100^lb^ p^r^ annum, Coll: Fletcher then Governour of y^t^ Province suspended him from y^e^ said office, and as he alleadges without any just Cause, and praying that y^e^ said suspension may be taken off, we have Examind y^e^ same, and find by severall Certificates from N: York that he was suspended as aforesaid, and y^t^ y^e^ Pet^r^ has continued since y^t^ time, to be very serviceable in managing y^e^ Treaties with y^e^ Indians notwithstanding y^e^ said Suspension, we

are therefore humbly of opinion, that his suspension does not deprive him from having a just pretence to his said Salary, which we apprehend, y^e^ Revenue of New York by reason of anticipations will not be able to satisfy, and we doe further humbly offer, That your Maj^es^ Pleasure be signified y^t^ y^e^ suspension y^e^ Pet^r^ lyes under be taken off. w^h^ is most humbly submitted

DARTMOUTH. PHIL: MEADOWS. W^m^ BLATHWAIT
ROB^t^ CECIL. JOHN POLLEXFEN. MATH: PRIOR

Whitehal January 10: 170$\frac{4}{5}$

Order in Council restoring Robert Livingston, Esq., to office.

[New-York Colonial Manuscripts, LIII.]

At y^e^ Court at S^t^ James's the 11 January 1704.

PRESENT— The QUEENS MOST EXCELLENT MAJESTIE

Lord Keeper.	Lord Pawlet,
Lord Treasurer.	Lord Dartmouth,
Lord President.	Lord Granvill
Lord Privy Seal.	Lord Coningsby
Duke of Somerset.	Mr Speaker
Duke of Marleborough.	Mr Boyle
Earl of Stamford.	Mr Secretary hedges,
Earl of Radnor.	L^d^ Cheif Justice holt,
Earl of Abingdon.	L^d^ Cheife justice Trevor
Earl of Bradford	Mr Vernon
Lord Ferrers	Mr Smith

Mr Haes

WHEREAS in obedience to an order of this board of y^e^ 19 of y^e^ last month, on y^e^ Petition of Rob^t^ Livingston of New York, to be Restored to his Place of Secretary for y^e^ Indian affairs, with his Salary of one hundred Pounds sterl: p^r^ annum, from which he was suspended by Coll: Fletcher y^e^ late governour, The Lords Commis^rs^ for Trade and Plantations, did by their Report this day read at the Board, humbly represent, that they have Examind this matter, and it appearing to them, that y^e^ Pet^r^ has continued to be very serviceable in managing y^e^ Treaties with y^e^ Indians notwithstanding y^e^ said suspension, are therefore humbly of opinion, that his suspension does not deprive him from having a just Pretence to his said salary, w^h^ y^e^ Lords Commiss^rs^ apprehend y^e^ Revenue of New York by reason of anticipations will not be able to satisfy, Her Majestie in Councill taking y^e^ same into Consideration, is pleas'd to approve y^e^ s^d^ Representation, and accordingly to order, That y^e^ s^d^ Petitioners s^d^ suspension be taken off, and that he be not Deprived from having a just Pretension to his Salary, by reason of y^e^ s^d^ suspension, and y^e^ Gov^r^ or Commander in Cheife of her Majesties Province of New York for y^e^ time being, is to give y^e^ necessary Directions for Restoring and Readmitting y^e^ Pet^r^ into his office without further Delay.

JOHN POVEY

Mr. Congreve to the Lords of Trade.

[New-York Entries, B. F. 261.]

To the Right Hon^ble^ the Lords Commissioners For Trade and Plantations.

The humble memorial of Charles Congreve setting forth the state of the Garrisons, Forts and Forces of Her Majesty's Province of New Yorke in July 1704. by the direction of His Excellency Mylord Cornbury, with some proposals offered with all submission to your Lordships for the security of the Frontier thereof and encouragement of the Planters.

The Condition of the Forts, Magazines and Stores.

at N. Yorke The wall thereof is faulty in many places, many of the guns are remounted with new carriages and others repaired. The magazine for the powder lately built is large and secure, but the Store Room for the Armes is ready to fall, and all sorts of stores wanting—

at Albany The present security of the place the old Fort is repaired, and new palissadoes sett round it and also round the whole City and blockhouses repaired.

at Schonnectady The Fort is of no strength and palisadoes are very rotten. The inhabitants have petitioned for a more regular and stronger Fort to be built for the security of the place.

at the Half Moon There is a Fort, but no Forces posted in it; The several Forts at Nestigaune, Saractoge and Kinderhook, are not in order, but the Inhabitants on the Frontier proposed to have them repaired against Winter, but its feared there will not be men raised to man them as has been usual; the Assembly having represented to His Excellency in their address delivered in 1703. that the Country is not able to raise money (and men) sufficient for that and other services, and the Four Companies (were they all full and fit for service, many of the men being old and have been in the Province this thirty years without being relieved) together with the Forces the Country is able to raise added unto them, are too few to man all the Garrisons and secure the Frontier, there being a necessity of keeping Guards in war time at five several places within the City of Albany, besides the Fort, which with the Garrisons of New Yorke and Schonnectady alone will take 550 Men to be posted thus:

		Number of Men.		
New York.	In the Fort at New Yorke	200		
Albany	In the Fort at Albany	150		
	In the mainguard blockhouse	30	On the North side of the City	
	In the Burgesses blockhouse	30		
	In the little blockhouse next the Fort	10	On the South side.	
	In the horseguard blockhouse	20		
	In the blockhouse by the River	10	Eastward.	
		men		
Schonnectady		100	total 550.	680.
	And the rest of the Forts, with a Company usually posted on the lake will require 130 more viz^t^:			
	At the Halfmoon	30		
	Nestigaune & S^t^ &.	40		
	Kinderhook	30		
	The company on the Lake,	30	130.	

If the Frontier were secured and the number of Regular Forces allowed during the war and posted as above, the French can not hurt the Inhabitants, and would secure the Merchants and Planters in looking out for Naval stores and encourage them to sow hemp and improve the Wast lands; now that trading is so hazardous near 30 Vessells belonging to New York, have been lost; some worth 12, 14 and £20000. a vessell.

In consideration of what is above set forth and that the Province is more over £10000 in Debt, (contracted in time of the late peace) and out of credit and every poor, by reason of the decay of Trade which was the chief support. Thereof it is humbly proposed:

1st That Recruits for the present Four Companies may be sent at Spring, there being but 325, effective private Centinels in the last Muster Rolls of September and October 1704. so that there wants 75, and there is about 16 old men, and one that has lost one arm, and that the said old and the unserviceable men may be sent to Chelsea Hospital (which are now a burthen on the Province) and for the future to have one hundred Recruits sent over every two years, and the like number discharged at New Yorke, which would prevent disertion and the charge of following Deserters into other Provinces which is often extraordinary.

2ly. That arms at least as many as were shipped on Board Singclear's ship (and taken by the French) and a sufficient quantity of Ammunition and Stores of all sorts be sent; as great guns for the Stone Fort at Albany, and for the Batteries at the Narrows ettc.

3ly That two fifth rate men of war be sent early in spring to guard the harbour and cruise on the coast for the security of the Province and of N. Jersey.

The Inhabitants of the Province of New Yorke to shew their willingness to do what is in their power for the security thereof have by the Assembly given £1500. towards the building the two Batteries at the Narrows which will secure it by sea, but the full estimate of the charge is £2025. for that work, the finishing of which and of the Stone Fort begun at Albany is of absolute necessity by reason of the great war-like preparations that are and have been making this three years by the French at Canada, who aime at the destruction of the Frontier of New Yorke the first opportunity, as there is good reason to believe.

Therefore it is well hoped Her Majesty will be Graciously pleased to grant some considerable assistance in money to that Province for the perfecting what is begun which will be the preservation of all her noble provinces and Her subjects on the Main, and that Your Lordpps will be pleased favourably to represent their case to Her Majesty in order to obtain such assistance, and what is above proposed—which is most humbly submitted to Your Lordships by

Your Lordships

Most obedient Servant

C. Congreve.

Captain Nanfan to the Lords of Trade.

[New-York Entries, B. F. 267.]

To the Right Hon^ble^ the Lords Commissioners for Trade and Plantations.

The humble Petition of John Nanfan late Lieut^t^ Governour of New Yorke.

Sheweth.

That Your Petitioner having subsisted the Four Companies at New Yorke for four months and a half more than M^r^ Champante received their subsistance from the Pay Office, and the Bills Your Petitioner drew upon that account returning back protested, the Merchants concern'd therein, brought their actions against Your Petitioner, and kept him under arrest from the 19^th^ of May 1703 to the 6^th^ of November 1704. when at last they accepted of Your Petitioner's obligations to make payment in London of the money due on the said bills by the 25^th^ of March next.

That Your Petitioner the very next day after he has so adjusted matters with the Merch^ts^, or their Agents as abovesaid, had private notice that M^r^ Matthews and others had entered Actions against him to a considerable value, to the intent, as Your Petitioner can not but conceive, to make him end his life in prison, he being then reduced to a very low state of health by the former hardships he had suffered, and from which state he is not perfectly yet recovered.

That your petitioner to prevent the effects of such a malicious combination, was forced the very minute he had intimation of it, to make his escape and to fling himself on board Her Majesty's ship the Jersey with only the cloathes he had on his back, and so to leave behind him all his effects, and every thing else and so to come to England in a miserable and naked condition. The truth of all which your Petitioner is ready to make good upon oath, and can further prove if ever required.

That Your Petitioner's accounts stand now referred to M^r^ Blathwayt and the two Comptrollers of the Army, but he being deprived at present of his Vouchers in the unheard of manner aforesaid, he can only justify his payments by Muster Rolles of the said companies, according to which is allowed by the Lord Cornbury's Agents to have issued the subsistance, and by which there will appear to be due to Your Petitioner above seventeen hundred pounds, to answer which demand of Your Petitioner, there has been, as he is informed, for near these two years past fifteen hundred pounds set aside and which is now in the Widdow Thrale's hands.

May it therefore please Your Lord^pps^ in tender consideration of the Premises, so to Represent Your Petitioner's case, that his accounts may be ordered to be stated by the said Muster Rolles, and that in the mean while the said fifteen hundred pounds may be ordered to be paid to him, that he may discharge himself thereby, as farr as it will go, of the obligations he is under. Your Petitioner offering to give security sufficient to stand the event of his account, either as stated by the Muster Rolles or upon an examination of his Vouchers, as soon as ever they come to his hands.

And your Petitioner as in duty bound shall ever pray ettc.

[15^th^ Feb^y^. 1705.] JOHN NANFAN.

Lord Cornbury to the Lords of Trade.

[New-York Entries, B. F. 298.]

To the Right Hon^ble^ the Lords Commiss^rs^ for Trade and Plantations.

My Lords,

Your Lord^pps^ letter of the 29^th^ of June is come to my hands, in which you are pleased to inform me, that Her Majesty, has been pleased to issue Her Royal proclamation for settling and ascertaining the current rates of the Coin in the Plantations, which your Lord^pps^ are pleased to send to me, and to command me to cause the same to be published in the most solemn manner throughout my Govern^ts^, and to take care that due obedience be paid thereunto. In obedience to your Commands, I have caused Her Majesty's Royal proclamation to be published in this province, and have sent orders to Coll: Ingoldsby (who is now at Burlington) to take care to have it published throughout that Province; and now I must acquaint your Lord^pps^ with the consequences which have attended the publication of that Proclamation in this place. It was on Monday the 5^th^ day of Feb^ry^ that it was published in this city, which is the day the Boston Post sets out from hence; as soon as the proclam^tn^ was published, several persons here (pursuant to the directions sent to them frome Boston) sent away as much money by the Post, as he could carry, and for four or five days all manner of Trade was stopped; there was no Market, nor one could buy anything with ready money—Two or three days after this a Petition was presented to me, signed by most of the considerable Merch^ts^ in this place, setting forth the many inconveniencys that would attend the putting the directions contained in that Proclam^tn^ strictly in practice even to the infallible ruin of this province occasioned chiefly by the neighbouring Colonies disobedience to Her Majesty's Commands; I send you a copy of the petition by which you will see how the Spanish Coin has gone not only in this province but in the neighbouring Colonys, particularly that of Pennsylvania, which by raising the value of pieces of eight of seventeen penny weight to seven shillings and sixpence, and the lighter money in proportion, have considerably drained this province of its money, as New England has done on the other side by clipping, which they don't scrupple doing openly, as appeared very lately by the purser of Her Majesty's ship Jersey, one Franklin, who was going to pay a sum of money for several things he had had for the use of the ship, during the time she was there Careening, and an acquaintance of his of that place, seeing him lett out a parcell of broad heavy pieces of Eight, asked him what he was to doe with that money, the Purser told him he was going to put it away, upon which his Friend told him if he would let him have it for a few hours he would bring it to him with advantage, the Purser let him have it, and he did bring him back his number of pieces of Eight, and to the value of fifty three ounces of silver more, and this out of sixty pounds currant money of New Yorke. There is another instance of one M^r^ Scott a Merchant of this City being last summer at Rhode Island out of one thousand pieces of eight of seventeen penny weight, got seventy three ounces of silver, and the pieces of eight were paid by him at the rate of seventeen penny weight still, and he says that if he would have suffered them to be clipped to fifteen penny weight he might have got above two hundred & fifty ounces of silver. These practices of our neighbours have done a great deal of harm to this Province, both in respect to their Trade to the West Indies, and the other part of the Continent, but now they think they have it in their power to destroy this

province effectually, because they are resolved not to obey the Queen's commands contained in her Proclam^tn. This I was lately informed of by some persons come from Boston, and particularly by M^r Adolph Phillips, who was present at the publication of Her Maj^tys Royall proclam^tn at Boston, who asking some of the Merchants there what effect that would have upon their Trade, was answered, that they had published the Queen's proclamation in obedience to Her Majesty's Commands, but that the money would go, as it did before, this we find to be true, by every day's experience. The allegations in the Petition and several things of this nature having been related to me, and proved beyond contradiction, prevailed with me to communicate the aforementioned Peti^tn to the Gentlemen of Her Majesty's Council for this province, and to desire them to consider the contents of it very seriously and to let me know their thoughts of it, which they did, and made a Report of which I send your Lord^pps a copy, by which you will find that some of our neighbours instead of obeying Her Majesty's proclam^tn, have advanced the value of their coin, by taking pieces of Eight of thirteen pence weight for six shillings, which never went here for more than five shillings and three pence New York money; this is now daily practiced in New England, in order to get all our money from us, and they conclude their Report by saying that if the proclamation be put in Execution, according to the letter thereof, it will be the utter ruin of this province. I took sometime to consider the Report made by the Gentlemen of her Majesty's Council for this Province, as likewise to inform myself of the truth of severall persons, touching the practices of the New England people upon the matter of money, and I find by undenyable proof, that since Her Majesty's Royall Proclam^tn has been published here, several Merch^ts at Boston have wrote to their correspondents here, to send all the money they can, whether it be heavy or not, and they will not only take it at the same rates it went at before the publishing of the Proclam^tn but will likewise allow ten per cent for as much as they can send; this is so true, that very lately a young Man of this Town being at Boston to buy some goods, to the value of five hundred pounds, paid that sum in single Ryals, at eight Ryals for six shillings which is the rate they used to pass at here, and had allowance of nine per cent besides; and he says that if he could have stayed two or three days longer, he might have had ten per cent — This can be intended for nothing but to ruin this place; for before this Proclamation, the money at Boston was twelve and a half better, than the money at New Yorke, soe that if we bought one hundred pounds worth of Goods at Boston, we must have paid one hundred and twelve pounds ten shillings New York money: whereas now by their taking pieces of eight of thirteen penny weight for six shillings, they have raised the coin higer than ever it was before, the consequence whereof will be, that our Merchants will send their money to Boston for European goods, which will in a short time destroy the Trade of this province to England, and make us depend intirely upon Boston for all such commodities as we now fetch in our own ships from England, to the manifest ruin of our navigation; this the people of this Colony think very hard, especially since the people of New England are like to reap this advantage by their disobedience to the Queen's commands. Having seriously considered these things and observing that Her Majesty in her Royall proclamation is pleased to say, that having had under consideration the different Rates, at which the same species of foreign coins do pass in her several Colony's and Plantations in America, and the inconveniences thereof, by the indirect practice of drawing the money from one Plantation to another to the great prejudice of the Trade of her subjects, and being sensible that the same cannot be otherwise remedied, than by reducing of all foreign coins to the same currant rate within all Her Dominions in

America, and it being very evident that Her Majesty's Royal good intentions to all her subjects in America, will be frustrated by the disobedience of her subjects in New England and Rhode Island. And it being very plain beyond contradiction that this province of New York will be ruined beyond recovery if Her Majᵗʸ's Royal Proclamation is put in execution according to the letter of it, I have consented to the request of Her Majesty's Council for this province, which is to direct [the] Collector of this province to receive money upon all the branches of the Revenue at the rates it formerly went, till this matter may be layd before the Queen, and her further pleasure be known therein. I therefore most humbly intreat your Lordᵖᵖˢ to lay this matter before Her most Sacred Majesty the Queen, and that it is not through any manner of disobedience to Her Majesty's commands (which we shall upon all occasions be ready to obey) that we have not immidiately complyed with the directions of her Royal Proclamation, but only to save this Province from utter ruin, which would most certainly have happened before I could have received her commands upon this representation. And I do further intreat your Lordᵖᵖˢ to assure Her Majesty that if notwithstanding what I have now offered to you, it is Her Royal pleasure that the directions in the Proclamation should be complyed with; her commands shall be punctually obeyed. I hope your Lordᵖᵖˢ will not look upon my behaviour in this matter as proceeding from any design of disobeying the Queen, I can boldly say, I never had nor shall have any such design, but I consider that delaying the putting that proclamation in Execution, till Her Majesty might be informed of the consequences that would have attended it, could be no prejudice to Her Majesty's service, nor injury to any of her subjects, whereas on the other hand the ruin of this Province was unavoidable—I am with great respect

My Lords.

Your Lordᵖᵖˢ most faithful
humble servant.—
CORNBURY.

19. Febʳ 1705

Petition of the Merchants of the City of New-York relating to Foreign Coin.

[New-York Papers. V. W. X., X 34.]

To His Excellency Edward Lord Viscount Cornbury Capt. Genˡˡ Governor and Comander in Cheif of the Province of New York and Vice Admirall of the same &ᶜᵃ

The humble Representation & Supplication of some of the Merchants and Traders in New York in behalf of themselves and the rest of the Inhabitants of this Province.

Sheweth:—

That the principall staple of the trade of this Province is the manufactory of wheat expended cheifly in the West Indies by the English and in their trade with Spanish subjects upon the Continent that the returns made for England (excepting the small trade of peltry which is now so diminished as scarce worth regarding) were heavy pieces of S. and other produce of the West Indies, which came to us in return of our said manufacture; tobacco and bills are the money as well of the staple of Virginia and Maryland, as are sugar, cotten, wooll, indigo &ᶜ from the Leward Islands to the inhabitants there.

That by a long usage and custome p^{s} of 8 Civill Piller and Mexico of 15^{d} weight at 6^{s} and rialls at nine pence, were the currant staying money of this Province without any settlem^{t} made for p^{s} of 8. of greater or lesser weight, untill about the 25th of March 1693, so none remain'd with us but such as was lessened by others, and the lightest rialls, which answered the necessitys of the poor people in the markett.

That long before the 25th of March 1693 the Merchants of Boston did practise to draw from us our heavy money as much as possible, their money of the date of 1652 being of equall value thereunto; which we often endeavoured to prevent, as being hurtfull to our trade and navigation directly to England.

That the Proprietory Government of Pensylvania then inconsiderable, like the ivy ab^{t} the oake, drew strength and nutriment from our substance, whilst by our revenue wee supported the regall government, and by our yearly taxes and subsidies and detachm^{ts} of our people to the frontiers of Albany wee gave them protection from allmost nothing our young people fledd into their country for sake of ease and they did establish amongst them a currancy of money after the rate of 17^{d} weight to 7^{s} 6^{d}.—12^{d} to 6^{s} and rialls to ten pence &^{c}

The Gentlemen of the Councill for this Province discovering the ill consequences thereof, did then represent the matter to Coll: Fletcher then Governor how our heavy money was carried to Boston on the one hand, and our light money to Pensilvania on the other. who being instructed not to [alter] the value of the currant Coin of this Province without his Majesties order, did only order that the heavier and lighter p^{s} of 8 should pass amongst us ratably at 4$\frac{1}{2}$^{d} for every penny weight more or less, and that Lyon dollars a coin here not well known in value intrinsick, which had spread themselves in great numbers from Carolina and Pensylvania into all the Countrey, should pass at 5^{s} 6^{d} so that our money then remained a mean between the money of Boston and Pensylvania, and the difference was 25 p^{r} Cent.

That upon peace after the last warr the greatest part of the heavy money in this Province was remitted to England.

That since the breaking out of the present warr with France and Spain, our manufacture has been of small value in the West Indies to our great impoverishment.

That the people of Boston publickly & avowedly have practised to clipp and file all the small currant money along this continent to 25 p^{r} Cent loss, which practice and the unlawfull proffitt comeing thereby, did encourage enough to make it their business to carry it thither and return it againe to us & our neighbours, where it passed for same value as formerly; which is now so apparent that, many times, sixteen rialls doe not weigh seaventeen penny weight.

When we heard of Her Majesties royall Proclamation for settling and ascertaining of the currant rates of Foreign Coin in these Plantations wee were prepared to give a dutifull and ready obedience to Her Majesties Cômands and were gratefully sensible of Her Majesties favour and justice therein; hopeing thereby to be fully remedyed and releived from the great inequality and prejudice of trade wee suffered, and waited with their full expectation of the accomplishment of Her Majesties most reasonable and just proposes therein.

But so it is, May it please Your Excellency that her most gracious Mâtie and her dutifull subjects are likely to be disappointed of her royall purposes and their expectations, as formerly wee have been when his Mâtie King William sent his royall Cômands for the neighbouring Provinces and Colonyes to contribute their quotas of men and money towards the security of the Frontiers at Albany

Wee have certaine intelligence that the Governor of the Massachusetts Colony hath caused Her Ma'ties proclamation to be published at Boston, but that no manner or further notice

or regard is had thereunto, and the money pass currant there as before; by means whereof (if Her Mâties: subjects inhabiting this Province are holden to the strict observation of said Proclamation) they must be utterly ruined and trade totally destroyed. One hundred Pounds currant in New York here will scarce pay or purchase Fifty Pounds worth of goods when the same money at Boston will goe currant for £100. and purchase to that value. Wee can produce letters from Boston since the said publication, proffering 10 p^{r} Cent advance for heavy money, and the last post carried what money possible he could in the maile, and no doubt the next vessell that goes thither will drain us of all our small money as well as great; so that we can expect nothing to tarry with us but Lyon dollars, whereof none here can judge of their value, and pence, which the people of Boston have always avoided.

It has been the opinion of some grave & discreet persons of quality, and many other of lesser rank and that upon good reasons, that this Country is improveable towards the furnishing of Naval stores for Her Mâties Royall Navy and in time may come to perfection; neither is our present staple found useless in the West Indies, to preserve Her Mâties. interest, and prevent great danger of ruine to her Mâties dutifull subjects

Wee therefore humbly pray your Excellency will be pleased to inspect the truth of our allegations and to make such just representation of the matter to her most gratious Mâtie.—as be consistant with her Mâties honor and interest, and the welfare of her subjects; and that in the mean time your Excell^{y} will be pleased to suspend the putting of this Proclamation in execution in this province untill Her Mâties pleasure thereon be further signified therein; or to take such other moderate measures therein for our present releif as to your Excell^{cy} shall seem best expendient, and

Your Petitioners as in duty bound shall ever pray &^{c}

Jn^{o} Borrow.	Bart. Steurt	Steph. D'Lancey.	W^{m} Peartree
Abr: Jonneau.	Walter Thong	Rob^{t} Walker.	Joh. Johnson
Louis Somon	Abra: Kettletass	Jn^{o} Scott	Jean Cazale.
C. D. Peyster	And Stuckey	John Barbarie	Tho^{s} Davinport
Alex^{r} Allaer	Chrestop: Denne	John Cruger	David Provoost Jun^{r}
Steph: Bouteveant	Rob^{t} Lurting	P. Nontels	Ge. V. Inburgh
Elias Boudenott	G. Shelley	P. Crauford.	Garritt Vanhoorn
Elias Neaue	Ric: Willett	J. V. Cortlandt.	St. Vincent.
John Stragett	Wm Smith.	D. Phillips	David Law
Dan^{l} Cromelin	Lanc: Syms.	Isaac R^{us} Macquez.	Nicho^{s} Jamain
	Geo: Deviniau	H. V. Braile.	Paul. Droillett.
	Isaac Gouverneur	Ebenezer Willson	D. V. Burgh
	A. Cromeline	Byvanck.	Isaac Gabry.
	A. D. Peyster	John Charlton	John Vanhoorn
	J. D. Peyster	J. Jarreau	Elie Pelletreau
	Joseph Bueno	Caleb Coóper.	W^{m} Bickley.
	Abra: Wandall	Sam^{ll} Levy.	E. Blagg.
	Augustus Jay	Benj^{n} Ask	Phillip Cortlandt
	Abra: D. Luceno	David Lyall.	John Banker.
	Richard Harris.		

(Indorsed) "Referred to in the Lord Cornbury's letter of the 19th Feb. 170$\frac{4}{5}$ relating to coin.

"Rec^{d} 25 June
"Read 27 D^{o} } 1705."

Lord Cornbury to the Lords of Trade.

[New-York Entries, B. F. 313.]

To the Right Hon^ble^ the Lords Commission^rs^ for Trade and Plantations.

My Lords,

Your Lord^pps^ letter of the 29^th^ of June 1704. came to my hands on the 15^th^ of December at Amboy, as I was on my journey to New York. I perceive by it that Her Majesty has been pleased to direct your Lord^pps^ to signify to me her Royal pleasure, that Merchants, Planters and others be very cautious in giving any accounts by letters of the public state and condition of the Provinces of New York and New Jersey; and you are likewise pleased to command me to direct all masters of ships or other persons to whom I shall intrust my letters, to sink them in case of danger from the Enemy, and likewise to sink all other letters that they are intrusted with, in case of iminent danger. In obedience to your Lord^pps^ commands, I have signified to the Merchants of this place Her Majesty's pleasure, and I have given directions to the Naval Officer, to renew the order to the masters of vessels as often as they come to clear outwards, to sink all letters in case of imminent danger from the Enemy, Thus I hope I have pursued the directions you have been pleased to send me, which I shall always endevour to observe most punctually. who am.

My Lords,

Your Lordships most faithful
humble servant
CORNBURY.

19. Feb^ry^ 1705.

Lord Cornbury to the Lords of Trade.

[New-York Entries, B. F. 315.]

To the Right Hon^ble^ the Lords Commission^rs^ for Trade and Plantations

My Lords,

Your Lord^pps^ letters of the 24^th^ and 25^th^ of August are come to my hands with the duplicates of several former letters, and Her Majesty's letter under Her Royal signature directing my proceedings in relation to Her Majesty's and My Lord High Admiral's shares of prizes, which I shall take care punctually to observe; as likewise Her Majesty's additional instructions relating to the Acts of Trade and Navigation I will see duly observed. I have obeyed Your Lord^pps^ directions in appointing a day of thanksgiving for the glorious Victory obtained over Her Majesty's Enemies, under the conduct of His Grace the Duke of Marlborough, which has been observed. As for what your Lord^pps^ are pleased to require of me, relating to the Stores, that is an acc^t^ how they have been disposed of, I will endevour to comply with it, even by this ship, if possible, but if not, by the next you shall most certainly have it.

I take the liberty to acquaint your Lord^pps^ that since D^r^ Bridges's death, there are dead of Her Majesty's Council, for this Province, M^r^ Ling, M^r^ Attorney Gen^l^ Broughton and

Coll. Smith[1]—and Coll: Romer has not been near me upwards of two years, and I hear is now going for England, so that there are but seven Councillors, in the Province—Coll: Schuyler and M^r Renslaer live at Albany, M^r Lawrence and M^r Beekman live upon Long Island and Coll: Heathcot in West Chester County, soe, that there were but two in Town, M^r Van Dam and M^r Wenham, and indeed all the Winter I can have the assistance of none but those who live in Town, therefore I have lately admitted into the Council M^r Mompesson, M^r John Barbarie and M^r Adolph Phillips, whom I intreat Your Lord^pps may be confirmed; I think them all three very good Men, and am satisfyed that they will serve the Queen as they ought to doe, else I would not presume to recommend them. As for what you are pleased to mention about the Acts of Assembly sent in June, I can not imagine how that mistake came, but for the future, I shall observe your Lord^pps directions and certify all the Acts. I am with great respect

My Lords ettc—

25^th Feb^r 1705. CORNBURY.

Warrant of Lord Cornbury appointing William Sloper his Agent.

[New-York Entries, B. F. 331.]

Know all men by these presents that I Edward Viscount Cornbury Capt^n General and Governour in Chief of the Provinces of New York and New Jersey, and the territories and Tracts of Lands thereon depending in America, and vice Admiral of the same HAVE made ordained, constituted and appointed [and] by these presents, doe make, ordain, constitute and appoint William Sloper of London Gentleman, my true and lawful Attorney and Agent for the four Independant companies of Fuzileers now at New York aforesaid, to ask, demand, receive and take of and from the Paymaster General for the time being or any other person or persons as shall be appointed to pay the same all and every sum and sums of money due or which hereafter shall grow due to the said Four Companies belonging to the said province of New York for subsistance, Clearings and Offreckonings or otherwise howsoever, and also to receive and take all and all manner of Stores, Amunitions, Arms, Clothing and all other matters and things

[1] WILLIAM SMITH was born at Newton, near Higham Ferrers in Northamptonshire, England, on the 2d February, 1655, and in 1675 was appointed Governor of Tangiers where he married, on the 26th of November of the same year, Martha, daughter of Henry Tunstal, Esq., of Putney, in the county of Surrey. On the abandonment of Tangiers, in 1683, Mr. Smith returned to England, and embarked in commercial pursuits. He continued in business in London until 1686, and on the 26th of August of that year arrived with his family in New-York. He removed a few years afterwards to Brookhaven, L. I., in which vicinity he made large purchases of land, that were erected in 1693 into the manor of St. George. Mr. Smith was recommended by Governor Dongan in 1686 for a seat in the Council; his name was accordingly inserted in the instructions to Governor Sloughter, dated 31st January, 1690, in virtue whereof he took his seat at the Board on 25th March, 1691. He was appointed one of the Commissioners to try Leisler, and in 1692, Chief Justice of the Province, which post he held until 1700. On the death of Bellomont, he became President of the Council, his difficulties with which body are already matters of history. On the withdrawal of Atwood from the country, Col. Smith was again appointed Chief Justice, 9 June, 17[illegible]. *Commissions*, II., 172; III., 8, and filled that office until April, 1703, when he was succeeded by Mr. Bridges *Ibid.*, III., 68. He continued member of the Council until his death, which took place at his mansion upon Little Neck, Setaucket, L. I., on 18th February, 1705, in the 51st year of his age. His wife survived him until the 23rd May, 1709. A full account of Col. Smith and his descendants will be found in *Thompson's History of Long Island*, II., 442.—ED.

whatsoever which shall from time to time be appointed and ordered for the use of the four companies aforesaid in the said province of New York, and upon receipt of the same, or any part thereof from time to time to make and give discharges for the same. Giving and granting unto my said Attorney and Agent full power and authority for me and in my name, to use and take all such lawful ways and means and Remedys for the obtaining getting and recovering all and singular the money matters and things aforesaid as fully and amply to all intents and purposes, as I myself (as Governour of the said Province) might use and take, and also for me and in my name (as Governour ettc of the said Province) to state, settle, act, doe, execute, and perform all other lawful Act and Acts, thing and things whatsoever touching and concerning the premisses aforesaid, as shall from time to time be expedient and necessary as thoughly and wholly, as I the said Gov^{r} of the said province might or could doe hereby, ratifying confirming and allowing whatsoever my said Attorney and Agent shall lawfully doe and perform in and about the premisses aforesaid, and I (the said L^{d} Cornbury Gover^{r} aforesaid) by and with the advice and Consent of Her Majesty's Council for the province of New York aforesaid, do by these presents constitute and appoint the said William Sloper to be Agent to and for the said province of New York hereby giving and granting unto the said William Sloper full power and Authority from time to time, to act doe and solicite all and all manner of affairs, matters and things for the service benefit and Advantage of the said province of New York, as shall from time to time happen and occur, as fully and amply as the same have been usually acted, done or solicited or Lawfully might have been acted done and solicited by other Agents formerly appointed in the said service. In Witness whereof I the said Lord Cornbury have hereunto sett my hand and seal this first day of March in the Third year of the Reign of Her Majesty Queen Anne and in the Year of Our Lord 170$\frac{4}{5}$

Cornbury (LS.)

Signed sealed and delivered
in the presence of
Geo: Clarke
P. Fauconnier
W^{m} Anderson
John Sharpe.

1 March 1705.

Lords of Trade to Lord Cornbury.

[New-York Entries; B. F. 273.]

To the Right Hon^{ble} the Lord Cornbury Governour of New York.

My Lord,

Since ours to Your Lord^{p} which was of the 24th August last, we have received two letters from you both dated the 6th of November, together with the several papers mentioned to be there inclosed, except only the copy of the grant made by King Charles the Second of the lands from S^{t} Croix Eastward, to the Duke of York.

As to M^{r} Mompession's being Chief Justice in the room of M^{r} Bridges deceased, we do not doubt but that he will answer the character you give of him, and the expectation you have

that he will discharge his duty; but do not think it needful to apply to the Queen for her confirmation, not judging it to be either of use to your Lord^{p} or advantage to him; since by the Commission given him by your Lord^{p} he is actually Chief Justice, and entituled to the profits appertaining to that Office.

As to the account you give us of your hasty call from Jersey by an alarm at Albany upon some mistaken advice of the French Indians falling into those parts, we are very well satisfyed to hear that the Militia was in a condition to anticipate your orders, and that even the neighbouring Indians shewed themselves so steadfast in their being ready to come into their Assistance if there had been occasion.

As to what you write concerning the demeanour of the Assembly and of Your having thereupon adjourned (and afterwards dissolved) them that they might have time to consider better of their duty. We very much approve of Your Lord$^{p's}$ care in preserving her Majesty's prerogative and the rights of Govern^{t}, and we hope your endevours will prove effectual to bring them to that moderation and obedience, that may most tend to the publick good. We conceive no reason why the Council should not have right to amend all Bills sent to them by the Assembly, even those relating to money. But more particularly, we can not but blame the Assembly for their assuming a right to settle the value of coin (which as Your Lord^{p} observes does incroach upon Her Majesty's undoubtful prerogative) as to the raising or falling of coin, you have her Maj^{tys} proclamation upon that subject which we sent you in our's of the 29th June last, which ought to put an end to all disputes upon that subject.

We told your Lord^{p} in our last, the difficulties we should meet with, in representing your want of supplyes of stores of War, not having been furnished by your Lord^{p} with exact accounts of what you desire, as likewise of the consumption of those stores you have already had, which we desire you to send on the first occasion.

In the mean time we must take notice to your Lord^{p}, that we do not find there has been any real occasion, for the consumption of powder, & desire you for the future that the powder be frugally managed, and no part thereof wasted in unnecessary salutes.

We are obliged to inform Your Lord^{p} that Her Majesty expects you should move the next Assembly, that they raise a fund for the purchasing of Military stores, and for the supplying other uses as the defence of the Province may require.

We further observe that the Soldiers having been once provided with small arms and Accoutrements, those things are afterwards to be furnished out of their pay, so that such arms are not properly to be demanded of Her Majesty.

We have laid before Her Majesty the State of the Province in all respects as Your Lord^{p} gives it us, and have represented that 100 Men may be sent for Recruiting the Four Companies of Fuzileers, the charge thereof to be paid out of the Respits upon the Muster Rolls, of those companies, for which we understand there is more than a sufficient sum to be deducted, since your Lord$^{p's}$ arrival there.

We have likewise offered that 50 Barrills of Powder may be sent, the charge thereof to be repaid by the Assembly to Her Majesty's Office of Ordnance here, and that your Lord^{p} may receive Her Majesty's directions for remitting the value of the said powder accordingly. Having been informed that 100 Fuzils with their Accoutrements which had been provided upon the Account of the Four Companies, were taken the last summer in their passage to N. Yorke by the French, we have represented to Her Majesty, that a like quantity may be again sent instead thereof.

As to the presents for the Indians, we have also offered, that some may be sent of the several species desired, to be disposed of by Your Lord^{p} as there shall be occasion.

We have further represented what your Lord^{p} writes of the necessity of a Man of war of 40 guns for the protection of the Trade of that province. And Her Majesty has instead thereof appointed two ships of a lesser rate which may be more usefull.

Upon all which as we receive Her Majesty's directions, we will not fail to acquaint Your Lord^{p} therewith.

The Act you have sent us, declaring the illegality of the proceedings against Coll: Bayard & Alderman Hutchins has been observed by Her Majesty's Attorney Gen^{l} to be defective in a very material point, for which reason, we have not offered it to Her Majesty for Her Royal confirmation, but have proposed our opinion, that the defect may be amended; We therefore send you here inclosed the copy of our representation, together with the Copy of Her Majesty's order in Council thereupon that you may accordingly take care that Coll: Bayard and Alderman Hutchins, do either enter into Recognizance upon Record as directed, or that a new Act be past in the Assembly with the necessary amendments, upon which Her Majesty will either confirm this or another act as is expressed in the inclosed order of Council.

We send you here inclosed the Copy of a petition that has been presented to us by Capt^{n} Nanfan, wherein he complains that after he had made an agreement with the Merch^{ts} concerned in relation to the Bills drawn by him for the subsistance of the Soldiers, which were here protested, he had the next day private notice, that M^{r} Mathews and others, had entred actions against him to a considerable value, with intent as he conceives, to detain him still a prisoner there, and prevent his coming for England; which private intelligence obliged him to leave the Province in so much hast and confusion, that he had not opportunity to bring along with him the Vouchers that may be necessary for clearing his accounts. We hereupon desire your Lord^{p} to acquaint us, what those actions were which he mentions, and further that you would give such directions as may be fit that no person whatsoever may in any manner hinder his correspondents from transmitting over hither the Vouchers of his Accounts, which he would refer to, and that your Lord^{p} would give your assistance herein, for the expediting his affairs his condition seeming worthy of compassion. We are — My Lord — ettc.

DARTMOUTH, ROBT. CECILL, PHIL: MEADOWS
W^{m} BLATHWAYT, JOHN POLLEXFEN, MAT. PRIOR.

POSTSCRIPT. Inclosed we send you Her Majesty's letter, by which your Lord^{p} will be more particularly directed in the accounts you have to give of the Public Stores.

We have under consideration the business of New Jersey as transmitted to us by your Lord^{p}, and having communicated to the proprietors here what to them appertains we hope to come to a speedy resolution thereupon.

We likewise send you copies of two Acts past here the last Sessions of Parliament for prohibiting all trade and commerce with France and for preventing all Traiterous correspondence with Her Majesty's Ennemies which you are to publish in your Govern^{t} and which will be a Direction to you in all cases of that nature.

We do likewise inclose to you the several printed acts of Parliament for the incouraging the importation of Naval Stores in this Kingdom, together with a letter from M^{r} Secretary Hedges in that behalf, hoping for a good effect from this new undertaking.

26. March 1705.

Lords of Trade to Lord Cornbury.

[New-York Entries, B. F. 287.]

To the Right Honourable the Lord Cornbury, Governour of New Yorke.

My Lord,

Whereas several complaints have been made to us by your Lord^{p} and Coll: Dudley Gov^{r} of the Massachusetts Bay, against the irregular proceedings of the Charter Govern^{ts} of Connecticut and Rhode Island. And whereas Her Majesty has been pleased upon our representing the said irregular proceedings, to direct us to transmit unto you a charge ags^{t} the said Gov^{ts}, we accordingly send you the same here inclosed, together with a copy of Her Majesty's Order in Council of the 12th of Febr^{y} last, by which you are directed to send copies of the said charge, to the respective Gov^{rs} of Connecticut and Rhode Island for their answers, and you are further to transmit to your^{t} Majesty, depositions taken in the most public manner upon oath, to the truth of the several matters, laid in the charge against the said Charter Govern^{ts}. And so not doubting of your Lord$^{p's}$ care, in giving such directions, that Her Majesty's pleasure herein may be punctually complyed with—we remain ettc.

PH: MEADOWS, W^{m} BLATHWAYT, J. POLLEXFEN, MAT: PRIOR.

18. April 1705.

Warrant for the use of a New Seal of New-York.

[New-York Entries, B. F. 289.]

To our Right Trusty and Well beloved Edward Lord Viscount Cornbury, Our Capt^{n} General and Governour in Chief of Our Province of New Yorke and the territories depending thereon in America, and to the Commander in Chief of the said Province for the Time being. GREETING.

Herewith you will receive a seal appointed by Us for the use of our Province of New York and the Territories depending thereon in America, the same being engraven on the one side with our Royall Effigies, and two Indians kneeling and Offering presents unto us, with our Royal Titles round the circumference of the said seal, and on the other side with our Royal arms, with the Garter, Crown, supporters and motto, and this inscription round the circumference "Sigillum provinciæ nostræ novi Eboraci in Americâ"— which said seal we do hereby authorize and direct to be used in the sealing all patents and public grants, of lands, and all public acts and instruments which shall be made and passed in our name, and for our service within our said province and the territories depending thereon, and that it be all intents and purposes of the same force and validity, as any former seal within our province, or as any other seal whatsoever appointed for the use of any of our plantations in America. And so We bid you Heartily farewell—Given at Our Court at S^{t} James's the third day of May 1705, In the fourth year of our Reign.

By her Majesty's Command

C. HEDGES.

[1] *Sic.* In mistake for *Her.*—ED.

Lord Cornbury to the Lords of Trade.

[New-York Entries, B. F. 310.]

To the Right Hon^ble^ the Lords Commiss^rs^ for Trade and Plantations.

My Lords,

At the request of the Widdow of D^r^ Bridges, I trouble Your Lord^pps^ with this letter, to intreat your favour for her, in interceeding with Her Majesty, that the salary which became due to Her husband in England as chief Justice of this Province may be paid to her; she hopes this will not be thought an unreasonable request, because in the order the Queen was pleased to send to me bearing date the 8^th^ of August 1702, in which Her Majesty is pleased to command me forthwith, to cause letters pattents to be passed under the seal of this province constituting and appointing the said D^r^ Bridges Chief Justice of this Province ettc, together with all and singular, the Rights, profits, Priviledges, and Emoluments unto the said place in as full and ample manner as the said William Atwood or any other person hath formerly or of right ought to have held and enjoyed the same. It seems when M^r^ Atwood was sent out of England to be Chief Justice of this Province, the late King was pleased to grant him a salary of 300£ a year to be paid to him or his order, in England; now Her Majesty having been pleased to allow D^r^ Bridges, to enjoy all the Rights, Profits, Priviledges, and Emoluments unto the said place belonging in as full and ample manner as the said William Atwood, so D^r^ Bridges never doubted but the Queen would allow him the same salary M^r^ Atwood had. The favour therefore which I would beg of Your Lord^pps^ in behalf of the Widdow (who is left in a very deplorable condition with a daughter) is, that you would please to recommend her case to the Queen, and to intercede with Her Majesty, that the salary become due to her husband upon the foot which M^r^ Atwood had it, may be allowed her; this will not only be an Act of great Grace and favour, but of great charity too. I ask Your Lord^pps^ pardon for troubling you so long upon this subject, but I thought I was bound in justice to the memory of the deceased, to recommend to Your Lord^pps^ protection the Widdow of a worthy good Man, who during the time Her Majesty was pleased to employ him in her service, served her with the utmost zeal and fidelity imaginable. I am

My Lords, ettc.

29. June 1705. CORNBURY.

Lord Cornbury to the Lords of Trade.

[New-York Entries, B. F. 418.]

To the Right Hon^ble^ the Lords Commiss^rs^ for Trade and Plantations.

My Lords.

I trouble your Lord^pps^ with this letter to acquaint you, that after having had several accounts of M^r^ Byerley's ill usage of several persons, in the execution of his Office of Collector and Receiver General of this province, besides his ill behaviour to me not to give it a worse form,

which was his daily practice, and his constant disobedience to orders made by me in Council; I was at last informed that Mr Byerly countenanced illegal Trade. I told the person that informed me, that, that was a very general charge, and that unless he would come to a more particular one, I should take no notice of it, upon which he told me that Mr Byerly gave Bills of store for enumerated commodities, to be carryed to foreign Plantations, and gave me for instance, that he had given a bill of Store to one Captn Cholwell (who is a Merchant of this City) for two hundrd weight of cocoa to be put on Board the sloop of one Claas Evertsen, one Zybersten Commander which was bound to Surinam and he told me, that the Bill of Store was in the hand of the Register of the Court of Vice Admiralty. I sent for the Register, who did bring me the Bill of Store under Mr Byerly's hand, I have it now in my custody. Upon this I inquired what the usage had been here in the time of other Collectors, and by the best information I could get, I find that most of the former Collectors have been very sparing in that matter, aud that when they have granted Bills of Store, it has been for some small quantity of Tobacco or Sugar to a Master or some passenger for their use in the voyage and even of those I have not seen any but to vessells bound to some English Plantation, but not to any foreign Colony; I advised likewise with some of the Lawyers here, who were of opinion, that it was a manifest breach of the Laws of Trade and having consulted her Majesties Instructions to me I find that in the last Clause Her Majesty is pleased to express herself in these terms "We take the good of our Plantations and the improvement of the Trade thereof, by a strickt and punctual observance of the several Laws in force concerning the same, to be of so great importance to the benefit of this our Kingdome, and to the advancing the duties of our customs here, that if we shall be hereafter informed, that at any time there shall be any failure in the due observance of those Laws, within the aforesaid province of New York and territories thereon depending, by any willful fault or neglect on your part, we shall look upon it as a breach of the Trust reposed in you by us, which we shall punish with the loss of Your place in that Governt, and such further marks of our displeasure, as we shall judge reasonable to be inflicted upon you for your offence against us in a matter of this consequence that we now so particularly charge you with"—So that this matter of fact being so fully proved, I thought it my duty to suspend Mr Byerly, till I could inform your Lordpps in this matter and receive Her Majesties [pleasure] thereupon, and in the mean time I have appointed Mr Peter Fauconeer to be Commissr to execute the Office of Collector and Receiver General of this Province, he is a man whom I have had experience of, and he has given security to the value of £8000. for the faithful discharge of the Trust reposed in him, till Her Majesties pleasure may be known. If it shall be the Queen's pleasure to approve of the suspension of Mr Byerly, as I hope she will, I beg your Lordpps favour for the Recommending Mr Fauconnier for the place of Collector and Reciever Genl of this Province—he is one of the best accomptants that ever I knew, he is a Man of very great application to and diligence in business; And I have by experience found him a very honest Man, he has been Naval Officer ever since I came into this province, which he has executed with utmost dilligence, and has taken pains to acquaint himself very well with the Laws of Trade; he will give any security the Right Honble Mylord High Treasurer shall please to require. I must now acquaint your Lordpps that this matter had not come to light, had not the sloop being seized, for Illegal trade by the Naval Officer, for carrying Enumerated commodities to Surinam; having taken the same on Board privately, after she had cleared at the Custom house here; the sloop being seized, the Naval Officer Libelled against her in the Court of Vice-Admiralty, where the Master Ebersen appeared to defend her, she was accused

of having taken on board at a place called the Watering place, nine miles below the city, some Hogsheads of Tobacco and of Cocoa, the Master to alleviate his crime as much as he could, produced the Bill of Store for the Cocoa in court. I must further observe, that this Sloop had been seized by M^r^ Fauconier the Naval Officer before, on suspicion of illegal trade, and as belonging to an Alien, but the proofs not being so full as they ought to be, and the Sloop being laden ready to saile for Surinam, and the Master pressing for leave to proceed on his voyage, he had leave, having first given security to the value of the sloop and Cargoe, if in case she should be condemned; at the return of the Sloop the information was given against her, and she was condemned. This is not the first thing of this nature, that this Gentlem^n^ has done, but he had so pesessed the People here with notions of the great interest he has in Engl^d^ that they durst not say anything against him, but now things begin to come to light. In Sept^r^ 1704. one Hugh Coward Master of the sloop Mary, came from Rhode Island to this Port, & applyed himself to the Naval Officer for leave to unload his goods (which were bound for London) here, pretenting his Sloop was so leaky, that she could not perform her Voyage. till she was repaired; the Naval Officer upon his making oath before the Mayor of this Citty, that his Sloop was leaky, gave him a certificate (a copy whereof I herewith send Your Lord^pps^) to the Collector. M^r^ Byerly did give leave that the goods should be landed, but instead of taking care that the Cocoa of which the Cargoe consisted, should be put into the warehouses, belonging to the Custom house, by which means he might have been certain, that the same should have been shipp'd again, he lett the Merchant (one Joseph Bueno a Jew, a particular friend of his) carry the Cocoa to his own Warehouse, and has taken no care to see that the same goods should shipped again, and the Merchant finding that Cocoa bore but a low price in England, would never have troubled himself to ship it off, had not M^r^ Fauconnier enquired into that Matter and obliged the Jew to ship it off, which is done, and the Sloop is sailed for Virginia in hopes to get a convoy; but the intention of the Jew appears pretty plain by his offering M^r^ Fauconnier fifty pounds to pass it by, but he rejected it with contempt—M^r^ Byerly ordered the Ketch Mary to be seized, upon suspicion of illegal Trade, he Libelled her, and upon the Tryal the Ketch was discharged but the goods were condemned; M^r^ Byerly took the goods into his own custody and sold them for his own use, for he has not given the Queen credit in his accounts for her Third, he has not paid me my third, nor he has not so much as paid the fees of the Court. I could acquaint your Lord^pps^ with several other things concerning M^r^ Byerly's behaviour here, which I suppose would not be approved of, but I am unwilling to be tedious, I shall not trouble your Lord^pps^ any further now, only to intreat you to believe, that I am with great respect—My Lords—Your Lord^pps^

most faithful humble servant

CORNBURY.

Lord Cornbury to the Lords of Trade.

[New-York Entries, B. F. 350.]

To the Right Hon^ble^ the Lords Commiss^rs^ for Trade and Plantations.

My Lords,

Since my letters to your Lord^hps^ of the 19^th^ Feb^ry^ last, which went by the way of Boston to Her Majesty's Ship Advice, I have not had any opportunity of writing to your Lord^pps^ till now (except one letter which I sent by the way of Antego) but now Coll. Quary having informed me, that his affairs called him into England, I make use of this good opportunity, to acquaint you with what has occurred since my last, both in the province of New York and the province of New Jersey—In my letter of the sixth of Novem^br^ 1704. which went by Her Majesty's ship Jersey, I gave Your Lord^pps^ an account that on that day I had dissolved the Assembly of this Province, and that I intended to call another in March last, but being advised with the Gentlemen of Her Majesty's Council, what would be the most seasonable time for them to sit, they were all of opinion that the beginning of June would be the best time; upon which I issued writs for the Electing of Representatives to serve in General Assembly to meet on the first day of June last. But the Members not coming at the day appointed, I was forced to adjourn the Assembly by proclamation several times till the eleventh, at which time the greast part of the Members being come, I sent for them and directed them to choose a Speaker which they did, and presented him to me on the fourteenth, and having approved of him I acquainted them what I thought necessary to be done this sessions, a copy whereof I herewith send Your Lord^pps^. The Assembly is still sitting for which reason I can not send the Journall, because it is not perfect, but I think myself in duty to the Queen bound to acquaint you with some of their proceedings. And first I must observe that in the Elections the people have generally chosen the same persons, and the representatives have chosen the same Speaker; nevertheless I would not reject him, because I was willing to let them see, that I was not willing to retain any resentment of their ill behaviour the two last Sessions, in hopes that they would have taken better methods than they did before, but it seems the major part of them came posessed with other minds, for having prepared a Bill to raise seventeen hundred pounds for the defence of the frontiers, they insisted (as they did the last Sessions) upon the nominating a Treasurer, and in their Bill, they make that Treasurer accountable to the Gen^l^ Assembly, and not to the Queen, which is directly contrary to my instructions, When the Bill was sent up by the Assembly to the Council, I took notice of these things, and I shewed the Gentlemen of the Council the 17^th^ Clause of my Instructions in these words "You are to take care that in all acts or orders to be passed within that our Province in any case for Levying money or imposing fines and Penaltys, express mention be made that the same is granted or reserved to Us our heirs and successors for the publick uses of that our Province and the support of the Govern^t^ thereof as by the said Act or order shall be directed." and likewise the 21^st^ Clause in these words "You are not to permit any Clause whatsoever to be incerted in any Law for levying money or the value of money, whereby the same shall not be made lyable to be accounted for unto us here in England, and to our High Treasurer or our Commiss^rs^ for our Treasury for the time being" and likewise the 23^d^ Clause in these words "You are not to suffer any publick money whatsoever, to be issued or disposed of otherwise then by warrant under your hand, by and with the advice and consent of our said Council, but the Assembly may be nevertheless

permitted from time to time to view and examine the accounts of money or value of money, disposed by virtue of Laws made by them which you are to signify to them as there shall be occasion"—Your Lord^{ps} will perceive by the Bill a copy whereof I herewith send you, that the Assembly have acted directly contrary to these three Clauses, for in page the first of their Bill, it is enacted that the sum of seventeen hundred pounds shall be levied as therein directed, and for the uses therein mentioned, but it is not granted to the Queen, her heirs and successors; And in folio the second they appoint one M^{r} Richard Willet to be Treasurer of New York (an Office not yet known)—In folio the third, they enact that the said Treasurer shall give security to the Queen by Recognizance to be accountable to the General Assembly. Folio the eleventh "it is enacted that a certificate under the hand of the Collonel, Chief Officer or Capt^{n} in the County or precincts where any man shall be detached, and a certificate from the Mayor and Aldermen of the City of Albany or the major part of them, shall be a sufficient warrant and authority to the Treasurer to pay the moneys by this Act to levy'd" ettc—So that it will appear, that in the first folio, they directly contradict the 17th Clause of my Instructions, because they do not grant to the Queen her heirs and successors; in folio the third they do a little more positively contradict the 21st Clause of my Instructions, because they direct their pretended Treasurer, shall give security to the Queen to be accountable to the Assembly; which is no less than to oblige a man to give security to the Queen that Her Majesty's Commands shall not be obeyed, for the Queen is pleased to command that all moneys shall be made accountable for and to herself in England and to Her Majesty's Lord High Treasurer or Commiss^{rs} of the Treasury for the time being, but it seems they think themselves wiser, and think it more proper, that their pretended Treasurer should be accountable to them rather, than to Her Majesty; In folio the 11th they most positively contradict the 23^{d} Clause of my Instructions. for they enact, that a certificate from a Militia Officer and another from the Mayor and Aldermen of the City of Albany shall be a sufficient discharge to their pretended Treasurer, for the moneys he is to pay, whereas the Queen is pleased to command me, not to suffer any publick moneys whatsoever to be issued otherwise then by warrant under my hand, by and with the advice and consent of Her Majesty's Council for this Province (which I am sure I have hitherto punctually observed); but in this likewise, they think themselves wiser than Her Majesty, for they pretend to direct otherwise. Now My Lords, I must observe that they can not plead ignorance, for they have been acquainted with these instructions last sessions, and the last sessions but one; but it is a down right obstinacy, and a design to throw off the authority of the Queen if they can, or at least as much as they dare at once, and I think a pretty good guess may be made of the temper and inclinations of the Men, and what they would do if they could. By the last Clause in their bill folio 14. in which they do not only outlaw all persons without distinction who shall contravene their directions in that Bill, but they take it upon them to deprive Her Majesty of the power of pardoning; and not only of pardoning but even of Reprieving any of the persons who shall be guilty of a breach of their Act. for their words are these: "And be it further enacted by the authority aforesaid, that if any person or persons, shall advise, frame, contrive or put in Execution, any Commission, Act, order, Warrant or Command whatsoever, for diverting or misaplying any of the money hereby to be raised and levyed, to any other intent use or purpose whatsoever, then to the uses, intents and purposes by this Act committed and appointed, he or they so offending, shall henceforth be disabled during life, to sue or implead any person in any action, real or personal, or to make any Gift, Grant, conveyance or other disposition of any of his or their

lands, Tenements Hereditaments, Goods or Chattels, which he or they hath or have to his or their own use, either by Act executed in life, or by last will or otherwise, or to take any Gift, conveyance or Legacy to his or their own use and be incapable or any ease or pardon from Her Majesty her heirs or successors of the penaltys and disabilitys before mentioned or any of them"—This I confess is a step further than I thought they would have attempted to goe. I am satisfyed there are some people here, that always have and always will fall out with their Governours let them doe their duty never so well, and that for no other reason that I know of, but because they hate all manner of Govern^{t}; but I did not think they would have attacked the prerogative soe barefacedly as they have now done; but I hope this will convince your Lord^{pps} of the necessity of regulating their methods of proceeding in the General Assemblys of these provinces for the future. I send your Lord^{pps} with the Bill the Amendments made by the Council to the Bill and sent by them to the Assembly for their concurrence; and I likewise send you the copy of the massague sent back with the Bill by the Assembly to the Council, by which you will see, that the Assembly insist upon it, that the Council shall not make any Amendment to a Money Bill; this a new Doctrine in this part of the world, and never attempted till the last Sessions but one, and was then set up on purpose to hinder any money from being given, and yet to save their credit with the people who would have been uneasy with them, if they had not taken care of the defence of the frontiers, but passing a money Bill with such clauses in it, as they know I could not pass, was thought by them to be the best means to save their money and their credit with the people too. I know very well that some of the factious people in the house have possessed the rest of the Members, that because the Commons of England will not suffer the Lords to make any amendments to a Money Bill there, that therefore, they as representatives of the people here, have the same Right, and that they ought not to suffer the Council to make any amendments to a money Bill. If this Doctrine is suffered to goe on, all that the Governour and Councill can doe, will be to hinder the Assembly from doing mischief; but we shall not be able to doe the good we could wish to doe unless Her Majesty will be pleased to declare her pleasure upon this subject, which I will see punctually obeyed, and I believe that will be the shortest and best way to put an end to this method of proceeding and will convince much the greatest part of the House that they have been misled and abused by two or three turbulent Men, who never were nor ever will be faithful to the Queen nor true to their Country, I mean: French, Coddrington, and Garton, the first has often declared that he liked no Govern^{t} at all, and the other two have been notorious for opposing at all times anything that the Governours have proposed, and this long before my time. The Assembly is still sitting, and have already prepared several Bills, and are preparing others as soon as they are up. I will transmit to your Lord^{pps} such Bills as shall be past, and the Journal of their proceedings by the first opportunity. I must acquaint you that this place suffers very much from want of a man of War—there has been a French privateer upon this Coast, he lay four days off of Sandy-hook, he had taken a Bermuda's Sloop which was bound from this place to Jamaica, a few days before he came upon this Coast he had not been above fifteen days out of Martinico. There is a Brigantine and a Sloop fitted out from Martinico to come upon this coast likewise; this I was informed of by the Master of the Bermuda Sloop, which was taken, whom the privateer had set on shore upon Sandy-hook. I acquainted the Gentl^{n} of Her Majesty's Council with the information I had and asked their opinion if it would not be proper to fit out some vessells to endevour either to take or drive away that Privateer, who were all of opinion, that it should be done—Whereupon I ordered

a ship of ten guns that was in this Port, a Brigantine of ten guns, and two sloops, one of four guns the other of eight guns; I put on board these four vessels, three hundred fifty men, who were all well armed, what with their own Arms, and such as we could furnish them with, out of the few Stores we have, they were victualled for ten days, they Cruised as far as the Capes of Delaware to the Westward, and as far as Block Island to the Eastward, but they could not get sight of the Privateer, soe they returned into this port. I am since informed by the Master of a Brigantine that was bound from Jamaica to Virginia, that the privateer lay off the Capes of Virginia. and that he was taken by him, that he was four days a prisoner on Board of the Privateer, and that he took a prize every day while he was on Board. I am likewise informed that since that the Strumbolo went out of the Capes of Virginia in pursuit of the Privateer, whom he fired several guns at, and it is believed would have taken her, had it not fallen calm on a sudden. but it being so and the Privateer having thrown his Periago and guns over board, by the help of his oars got away; soe I hope we shall not be troubled with him any more, and what is become of the other two, I have not heard but however, this has put this province to a very great charge, which would be if a Man-of-War were here, and besides. the Trade of this place would be securer. Therefore earnestly intreat Your Lord^pps^ to take such care, that we may have a Man of War, if there is not one already appointed. I did in my last acquaint you that we want all manner of Stores—I now send a particular account, how the stores have been disposed of, since my coming into this Province, for, I have never been able to get any account how the Stores were disposed of before, for when I demanded an account from the person who was Store keeper when I arrived here; whose name was Maddocks. he was formerly one of Mylord Bellomont's servants and went into England with the Countess of Bellomont, when asked him for an account of the Stores, he brought me an account of what remained in Store at that time; I told him I must have an account of what stores he had delivered out, he said he could not doe that, for he had delivered them out by verbal orders. and he did not think it necessary to keep any account in writing—Soe I could get none from him, whereupon I made an order that noe Stores should be delivered out, but by an order under my hand or in my absence, under the hand of the Officer commanding in the Garrison of which I have an account immediately at my return; by which means I am able to give an account of what has been disposed of in my time, and I shall continue the same care. Therefore I hope your Lord^pps^ will be pleased to procure stores to be sent over before Winter else we shall be in a very poor condition if the French should attempt any thing upon our Frontiers this winter, which is the season which they commonly choose for their Expeditions. I must again renew my request to your Lord^pps^ that a Statute Book may be sent hither to remain in the Secretary's Office for the use of the Council, I have one of my own, but it reaches no lower than the two and thirtieth of King Charles the Second, and we are very often at a loss when the lawyers in their pleadings quote any acts since that time. I hope you will likewise please to endevour that a New Great Seale may be sent hither for this province, the old one is very much worn. Now I beg leave to Inform your Lord^pps^ that with respect to the province of New Jersey, very little new has happened, since the Account I gave you by Her Majesty's ship Advice, Capt^n^ Morrice Commander, who sailed from Piscataqua sometime in April last, in those letter I acquainted you that I had adjourned the Assembly of New Jersey till May following, at which time I went to Burlington to meet the Assembly according to adjournment; the members of the Eastern Division came to Burlington, but the Members of the Western division did not appear,

except those who served for Burlington, soe I adjourned by Proclamation for a few days in hopes the Members would come up, but they did not; the Members of the Eastern Division grew uneasy, and presented a petition to me, to desire that they might have leave to return to their Country affairs, their attendance being to noe purpose, since the Members of the Western Division did not attend and further prayed, that the Assembly might be adjourned to some more seasonable time—This Petition being delivered to me, and being informed by very good hands that the reason why the members of the Western Division (who are all Quakers except one) did not attend, was because somebody had told them that if the Assembly did not meet, it was dissolved of course, and they had a mind to try a new Election, to see if they could not get some of their friends in for the Eastern Division, and having waited for them upwards of three weeks, and the time for the sitting of the Assembly of New York drawing near, I though it proper to adjourn the Assembly of that Province to the Month of October next to sit at Amboy, at which time I will not fail to attend my duty there; whether they will come or not, I can not tell; however, by the first opportunity that offers afterwards, I shall acquaint your Lord^{pps} with all matters that shall happen. In the mean time I intreat you that a great Seal may be sent for that Province, there having been none yet for want of which many things remain undone which should be done. I beg your Lord^{pps} opinion and directions, concerning the Clause in my Instructions, in which Her Majesty is pleased to direct me in the words following: "You shall also propose unto the said General Assembly, and use your utmost endevours with them that an Act be passed for raising and settling a publick Revenue, for defraying the necessary charge of the Govern^{t} of our said Province, in which, provision be particularly made for a competent Salary for Yourself as Capt^{n} Gen^{ll} and Governour in Chief of our said province, and to other our succeeding Capt^{n} Generalls for supporting the dignity of the said office, as likewise due provision for the respective Members of Our Council and Assembly, and of all other Officers necessary for the administration of that Govern^{t}"—This the 22nd Clause of my Instructions. Now what I intreat your Lord^{pps} opinion in is, whether Her Majesty is pleased that the Gentlemen of her Council should have fixed Salarys, and if the Members of the Assembly should have salarys out of the Revenue; and I have two Reasons which move me to desire your opinion upon this matter: the first is because I am affraid it will be a means to induce the Gentlemen of Her Majesty's Council for the Province of New York to desire the same, whereas they have never yet had any such allowance—the other is because the Revenue will not answer it—As for the Members of Assembly in the Province of New York, the several Countys and Boroughs pay their Representatives without burthening the Revenue with it, and with submission to Your Lord^{pps} I conceive it may be ordered the same way in New Jersey without any prejudice, however, I shall observe such directions as you shall be pleased to send me. In the mean time I shall acquaint your Lord^{pps} that the Revenue is already raised for one year, according to the directions of the Act, and in the places where it falls the heavyest it amounts to no more than two pence three farthings in the pound, and that according to the value set upon the Land in the Bill, which is ten pounds for every hundred Acres, whereas it is certain that land sells in New Jersey from forty pounds to sixty pounds for a hundred acres, so that in truth the tax does not amount to more than three farthings in the pound of the real value, which makes the people very easy. This is all I shall trouble Your Lord^{pp} with at this time—Soe I remain with great respect

My Lords. ettc.

8. July 1705. CORNBURY.

Lord Cornbury to Mr. Secretary Hedges.

[New-York Bundles, S. P. O.]

New York July 15th 1705

Sir,

Since the letter I troubled you with, by Her Majesty's ship Advice bearing date the 28th of February 170⅘, in which I promised you an account of the two Provinces under my care, I have had no opportunity of writing till now, that Collonell Quary has informed me that his affairs require his going into England, I send you this by him, who is as able to give you a true account of all the parts of this vast continent as any subject the Queen has; if you are pleased to ask him any questions relating to these parts of the world, I dare say he will answer them to your satisfaction. When I arrived in this province, which was the third day of May 1702. I found things in great disorder, several of the Merchants fled into New Jersey and other places, for fear of being prosecuted for signing Adresses to the late King, and to the Parliament. in which they complained of some opressions they laboured under here, and for signing of which Collonell Bayard, and Hutchins, lay in prison under sentence of death, occasioned by a misconstruction which Mr Atwood then Chief Justice of this Province, thought fit to put upon a Clause in an Act of Assembly (which has since been repealed here, by Her Majesty's command;) others being afraid of the same usage, thought it better to leave their familys, and retire; presently after my arrivall, they all returned and fell to their Trade as formerly; I found four Companys of Fusiliers posted in this Province, two in the fort at New York, and two at Albany, they were not compleat, they wanted cloths, and swords. and some other things, but in a little time cloaths were sent over, but we yet want recruits, swords, and all manner of Stores of Warr; I found the fort here much out of repair, and the province much in debt, and I am afraid it will continue soe a great while, unlesse Her Maiesty will please to give something towards the clearing of that debt. The Trade of this Province consists chiefly in flower and biskett, which is sent to the islands in the West Indies, in return they bring Rum, Sugar, Molasses. and some times pieces of Eight and Cocao and Logwood; to Europe our People send Skins of all sorts, Whale Oyle and Bone, which are the only Commoditys this Country sends to Europe, of its own produce as yet, but if they were incouraged, the people of this province would be able to suply England with all manner of Navall stores in abundance of all sorts, Pitch, Tarr, Rosine, Turpentine, Flax Hemp Masts and Timber of all kinds and sizes, and very good in their kinds. I am very sensible that a Project which my Lord Bellomont had set on foot to supply the Navy with Masts and Timber, has been a prejudice to this Province, because his Lordshippe thought fit to imploy unskilful people to cut the masts at the charge of the Crowne, so the charge was greater, much, then the service, but if the Queen is pleased to direct whoever has the honour to serve Her as Gouvernor of this Province, to contract with people here for Masts and Timber at certain rates, according to the severall scantlings (an estimate whereof I have sent to the Lords of Trade at the end of the year 1702) then the Queen would be well served; for the persons contracted with must deliver at New York every thing in its kind, good; soe the Queen would pay for nothing but what is usefull and good in its kind; whereas if masts and Timber are cut at the charge of the Queen the charge is certain, the profitt uncertain; when I said on the other side that if the people were incouraged they would be able to suply England with all manner of Naval stores, I mean (by encouraged) if they had a certain sure market for their

produce; for as the case now stands, they aply their land to corn of all sorts, but chiefly wheat, because they have a certain Market for that in the Islands, but if they had a sure market for hemp and flax in England, they would greedily fall to the planting of hemp and flax, because they want commoditys to make returns to England for the goods they take from thence. Besides, if part of their lands were imployed to those uses, their Corn would fetch a better price; besides the want of wherewithall to make returns for England, sets mens witts at work, and that has put them upon a Trade which I am sure will hurt England in a little time; for I am well informed, that upon Long Island and in Connecticut, they are setting up a woollen Manufacture, and I myself have seen serge made upon Long Island that any man may wear. Now if they begin to make serge, they will in time make course cloth, and then fine; we have as good fullers earth and tobacco pipe clay in this Province, as any in the world; how farr this will be for the service of England, I submit to better judgements; but however I hope I may be pardoned, if I declare my opinion to be, that all these Colloneys, which are but twigs belonging to the main Tree (England,) ought to be kept intirely dependent upon and subservient to England, and that can never be if they are suffered to goe on in the notions they have, that as they are Englishmen, soe they may set up the same Manufactures here, as people may doe in England; for the consequence will be that if once they see they can cloath themselves not only comfortably but handsomly too, without the help of England, they who are already not very fond of submitting to Government, would soon think of putting in execution designs they had long harboured in their breasts. This will not seem strange when you consider what sort of people this Countrey is inhabited by, and that you may be well informed of that, I take the liberty to acquaint you that this province was first discovered by an Englishman whose name was Hudson, and the River which runns by Albany to this City is to this day called Hudson's River, from that man; who, as I am informed did acquaint the Government of England at that time with the Discovery he had made, but in England they did not reguard him, soe he went into Holland where the West India Company gave him incouragement and they first setled this Province; afterwards this Province was surrendered by the Dutch to the English, and King Charles the Second granted not only this Province but a much larger Tract of land to His Royall Highnesse James Duke of York, as appears by his Royall letters Pattents under the broad Seale of England bearing date the 12th day of March in the 16th year of his Reign; The Duke of York sent over Collonell Nicholls to be Gouvernour here, who after some time was superceded by Collonell Lovelace, during whose time some Dutch men of warr returning from the West Indies toward Europe, and wanting wood and water came into Sandyhook, intending, to get wood and water at Staten Island, which lyes about eight miles below this City; One Bencas commanded the Dutch Squadron, which consisted of seaven Dutch men of warr, and it is certain they had noe farther thoughts than to wood and water, and so return to Europe; but severall of the Dutch Inhabitants here gave them notice that this place was ill provided, that the Gouvernor was not in the place, and that if they would but appear before it they might take it with great ease (some of the same men are still living in this City and enjoy good estates). Upon this intelligence the Dutch came up, and having fired half a score shot the place yielded, this hapned (by the best information I can get here) in July 1673 and they kept to the 31st of 8^{ber} 167-, that it was again surrendered to the English in pursuance of the peace concluded at London between the late King Charles the second, and the States of Holland, who, for satisfaction, were to pay the King eight hundred thousand Pattacoons; The First Gouvernor

His Royall Highnesse the Duke of York was pleasend to send into these parts after the second surrender, was Sir Edmond Andros, who was afterwards superceded by Collonell Dungan now Earle of Limmerick, who continued here till the year 1688, that he was again superceded by Sir Edmond Andros;—This Gentleman was Gouvernor of New England as well New York, and Collonell Nicholson was Lieutenant Governor of this Province. At the time that the news of the Revolution in England came to these parts, Sir Edmond Andros was then at Boston, where the people rose against him, seised him, imprisoned him, and sent him to England. At the same time one Leisler a Captain of the Militia of this City with others, surprised Collonell Nicholson in a house here, and forced the Keys of the Fort from him and usurped the Gouvernment and kept it till the year 1690, that Collonell Slaughter came over to this place with a Commission from the late King to be Gouvernor of this Province. He died here in the year 1691, and in the year 1692 Collonell Fletcher came hither with a Commission from the late King to be Gouvernor of this Province; by whose incouragement a Church was built here, the first English Church that ever was built in this Province. This Gentleman was succeeded in the Gouvernment by the late Earle of Bellomont, who landed here on the second day of April 1698. That Noble Lord thought fit to encourage the Dutch people here, much more then the English, by which means the Dutch were got into all sorts of imployments, and noe English men in place (or very few at least) where Dutch men could be found to suply them. On the 5th of March 170$\frac{1}{0}$ my Lord Bellomont died here at New York, Captain Nanfan, who was his Lieutenant Governor, took possession of the Gouvernment immediately upon his return from Barbadoes, where he was at the time of my Lord Bellomont's death; he returned hither in the month of June or July, the news of my Lord Bellomont's Death did not reach England till May 1701. In some short time the late King was pleased to grant me a Commission under the great Seale of England bearing date the 9th day of 7ber 1701; I arrived here on the 3d day of May 1702, at which time I found this place in mighty disorder, as I mentioned to you before. I apply'd myself immediately to repair those disorders by inquiring into the causes of them, which I found proceeded chiefly from some violent proceedings against some persons, which I put a stop to, not thinking them reasonable nor well grounded. I called an Assembly in which severall Acts were passed which I transmitted to England; that first Sessions was held at Jamaica on Long Island, because of the terrible sicknesse that hapned here that year, which hindred me from returning to this City till the middle of 9ber; I had left it on the first day of July to goe to Albany, and there I received the first news of the sicknesse, which continued till the time I have mentioned. Then I adjourned to New York, where the Assembly sat a little while longer and were adjourned to the month of Aprill 1703, at which time they met and were adjourned to the 13th day of the same month, that they sat and passed severall Bills which I likewise transmitted to England. I adjourned the Assembly to the month of 7ber at which time they met, and sate to the month of 8ber following, and having passed one Act for the defence of the frontiers, I adjourned them to the month of April 1704, at which time they met, passed some Acts and were adjourned to the month of 8ber following. Now I must observe to you that till this last mentioned Sessions, the Generall Assembly of this Province went on very smootly with their businesse, but some persons who were uneasy to see things goe on as they ought to doe, began to posesse the minds of some of the Members of the House, that as they were Representatives of the people of this Province, they were intituled to the same privileges and had a Right to the same powers and authoritys that the House of Commons in England enjoy, and that they ought not to suffer the Queen's Councill

to make any amendments to a money Bill, that they ought to have a Treasurer of their own, to whom and by whom all the money raised by Act of Assembly should be paid, and who should be accountable to them; this, some of the Members who had a mind to be troublesome, laid hold of, and in a money Bill which they had prepared for the defence of the frontiers, they incerted clauses for the purposes above mentioned, and sent the Bill to the Councill for their concurrence. The Gentlemen of the Councill having seen some of the Clauses in Her Majesty's Instructions to me, and seeing that by them it was impossible for me to comply with those clauses, they amended the Bill, and sent it to the Assembly for their concurrence to those amendments: but they received for answer a Resolve of the House in these words (Resolved that it is inconvenient for this House to admit of any amendment made by the Councill to a money Bill.) Soe seeing they were not to be brought to reason I adjourned them to the month of 8ber 1704 as I before mentioned; at which time they met, and took the same methods they had done in the Sessions of April, soe I did think fit to disolve that Assembly, which I did on the 6th day of 9ber 1704 and I did on the 5th of April 1705 issue Writts, under the seale of this Province, for the chusing a New Assembly to meet at New York on the first day of June following: but all the members not being come to towne, I adjourned, by Proclamation, to the eleventh: at which time I sent for the House, and directed them to chuse a Speaker which they did, and presented him to me the 14th; it is one Mr Nichols who was Speaker of the last Assembly. However I would not reject him, because I would let them see that I did not retain any resentment of their ill behaviour the last sessions, and in hopes they would have taken better methods then the last Assembly did; but it seems the major part of them came posest with other minds; for having prepared a Bill to raise seaventeen hundred pounds for the defence of the frontiers, they insisted (as they did the last Sessions) upon the nominating of a Treasurer, and by their Bill they make that Treasurer accountable to the Generall Assembly and not to the Queen, which is directly contrary to my Instructions. When the Bill was sent up by the Assembly to the Councill, I took notice of these things, and I showed the Gentlemen of the Councill the 17th Clause of my Instructions in these words; (You are to take care that in all Acts or Orders to be passed within that our Province in any case for levying money or imposing fines and penaltys, expresse mention be made that the same is granted or reserved to Us, Our Heirs and Successors for the publick uses of that Our Province, and the support of the Gouvernment thereof, as by the said Act or Order shall be directed: and likewise the 21st Clause, in these words (You are not to permit any clause whatsoever to be incerted in any Law for levying money or the value of money, whereby the same shall not be made liable to be accounted for unto Us here in England, and to our High Treasurer or Our Commissioners of Our Treasury for the time being) and likewise the 23rd Clause in these words (You are not to suffer any publick money whatsoever to be issued or disposed of, otherwise then by Warrant under your hand, by and with the advice and Consent of Our said Councill, but the Assembly may be neverthelesse permitted from time to time to view and examine the accounts of money or vallue of money disposed by virtue of Laws made by them, which you are to signify to them as there is occasion) By this you will perceive, that no money is to be raised, but it must be granted to the Queen Her Heirs and Successors, It must be accountable for to Her Majesty in England, to my Lord High Treasurer or the Commissioners of the Treasury for the time being, and noe money must issue but by Warrant under my hand by and with the advice and consent of Her Majesty's Councill for this Province. Now, Sir, I herewith send you the Copy of a Bill passed by the Assembly for the raising of seaventeen hundred pounds for the

defence of the Frontiers, which if you will please to peruse you will find that in folio the first; It is enacted that the sum of 1700li shall be levied as therein directed, and for the purposes therein mentioned, but it is not granted to the Queen Her Heirs and Successors, which is directly contrary to the 17th clause of my Instructions; In folio the 2nd they apoint one Mr Richard Willet to be Treasurer of New York (an Office never heard of in this Province before;) in folio the 3rd they enact that in their pretended Treasurer shall give security to the Queen to be accountable to the Generall Assembly. This is directly contrary to the 21st clause of my Instructions: In folio the eleaventh it is enacted that a certificate under the hand of the Collonell, Chief-Officer, or Captain in the County or Precinct where any man shall be detacht and a Certificate from the Mayor and Aldermen of the City of Albany or the major part of them, shall be a sufficient warrant and authority to the Treasurer to pay the money by this Act to be levied &c; This you will please to observe is contrary to the 23rd Clause of my Instructions—As soon as I shewd the above mentioned clauses of my Instructions to the Gentlemen of Her Maties Councill for this province, they agreed to amend those clauses in the Bill, which were soe contradictory to the Queen's commands in Her Instructions to me, a Copy of which amendmends I likewise herewith send to you, as they were sent by the Councill to the Assembly for their concurrence: but all the answer they could get was, a Resolve of the Assembly in these words (that it is inconvenient for this House to admit of any amendment made by the Councill to a Money Bill). Now, Sir, I must inform you that the Assembly can not pretend they were ignorant of these Clauses in my Instructions, for they were acquainted with them the last Sessions, and the last Sessions but one, but it is the obstinacy of three or four factious men who are members of the Assembly, and who have in all times oposed the Gouvernment, not only in my time but in all Gouvernors' times, since this Province has had Assemblys (for they have not always had Assemblys) I mean particularly French, Coddrington, and Garton; the first of these is a Merchant but a fellow of noe principles, and has been often heard to say that he was against all Gouvernment: the other two have been notorious for oposing at all times every thing they thought the Gouvernor had a mind to have done, though never soe reasonable, only because the Governor desired it; and these three Men are the persons who have set up these new pretences. The Assembly is still sitting, soe I can not send you their Journall yet, but as soon as the Session is ended, I will send you their Journall and give you an account of all that shall happen,—in the mean [time] I send you Copys of the above mentioned Bill, the amendments made by the Councill to it, and the Resolve of the Assembly thereupon; by which I hope you will be convinced of the necessity of Her Majesty's declaring Her pleasure in what methods the Assemblys here should proceed, and indeed without that they will never be brought to doe their duty as they ought to doe. I doe know very well that formerly this Province was Gouverned without an Assembly, money was raised for the necessity's of the Government by virtue of Orders made by the Governor in Councill; when first His Royall Highnesse the Duke of York took possession of this Province he sent Collonell Nicholls to be Governor here, and he gave him certain Laws by which the Province was to be gouverned, which to this day are called the Duke's Laws; indeed Collonell Nicholls called a meeting at Hempstead, of the best men that were to be found in that part of the Country, to advise with them of what rules or Orders were fit to be made for the good of the Country; but that meeting was never called an Assembly. After him Collonell Lovelace gouverned without Assemblys; after him Sir Edmond Andros gouverned without any Assembly. Collonell Dungan who succeeded him gouverned a great while without Assemblys; afterwards he called one

Assembly, but after that again he gouverned without Assemblys after King James came to the Throne; after that Sir Edmond Andros did not hold any Assembly during the time of his second Government of this Province. Since the Revolution, all the Gouvernors have called Assemblys, and I doe not know that any money has been raised, but by Act of Assembly;—I hope you will not think by what I have said, that I would have Assemblys laid aside, I have no such thoughts, I don't desire any such thing; but what I have mentioned before is only to shew that the people here have no claim of right to Generall Assemblys, There is noe Act of Parliament passed in England that give them any such right, and I am well satisfied they can claim no such thing by any Act of Assembly past here, soe that it is purely the grace and favour of the Crown that allows them to have Assemblys. If that be soe (which I think is past dispute) then the Queen may certainly restrain the Powers and authoritys of those Assemblys, within such limits and bounds as she shall think fit, and I beleive if Her Majesty is not pleased to signify her pleasure how farr they shall be at liberty to proceed, they will be claiming New Rights every day; there are some very good men among us, but you will please to consider that the Inhabitants of this province are of three nations, English, Dutch and French; of these three the Dutch are very much the most numerous, and these are not Dutch by nation only but by inclination, at least generally speaking, which appears here every day; the French have during the disorders which have hapned here formerly always espoused the interest of the English; among the English in this City there are a great many good men, but in the Countrey espetially in Long Island most of the English are Dessenters, being for the most part people who have removed from New England and Connecticut, who are in no wise fond of monarchy, soe that they naturally incline to incroach, as often as they can, upon the Prerogative: soe it is noe wonder if they are willing to extend the power of their Assemblys as far as they can. How far it will be for the Interest of the Crown to suffer them to doe it, I submit to your better judgement. Thus Sir I have given You an account of this Province with relation to its Trade, to its People, and to its Gouvernment; if it proves to your satisfaction, I shall think myself very happy. Now as to the Province of New Jersey I shall first observe that His Royall Highnesse the Duke of York made a grant of all that land now called New Jersey to my Lord Berkley and Sir George Carteret; they divided it into East and West Jersey, and after that sold it to severall persons who are now called the Generall Proprietors; it is a large and fertile Country it extends from Cape May northwards above two hundred and fifty miles along Delaware River and eastwards it extends in some places fifty four miles, in others upwards of sixty miles; the Eastern Division is inhabited by English, Scotch, and Dutch; the English are the most numerous, but the Scotch during the time of the Proprietary Gouvernment had the sole rule in that Division; the Western division is inhabited by English and a few Swedes, who live in the southermost parts of it; the Quakers are pretty numerous in this Division and in the time of the Proprietary Gouvernment they had all the power in their hands, and used it very arbitrarily. There is a Church erected here at Burlington, which I have named S^{t} Ann's Church and notwithstanding that Burlington is the Chief habitation of the Quakers I have seen a congregation of above three hundred people at Church there. These two Divisions when under the proprietary Gouvernment, were two distinct Provinces, had distinct Assemblys, and the laws of one division were not laws in the other; There have for some years past been great disputes between those persons here, who call themselves Proprietors, and the people; by reason whereof there has been noe Administration of Justice for at least two or three years before the Gouvernment was surrendered to the Queen, but now I hope a

little time will quiet all those disputes; the Assembly of that Province have sat three severall times, in the last of which they have setled a Revenue for two years, of two thousand pounds a year; they did passe some other Acts, all which I transmitted into England by Her Majesty's Ship Advice. Thus I have given you a short account of the Province of New Jersey, I have nothing farther to trouble with, but to intreat you to believe that I shall always punctually observe all such directions as you shall favour me with, and that I am with very great respect

Sir,

Your most faithfull
humble Servant
CORNBURY

I have not had one line from England above these seaven months

S^r^ Charles Hedges.

Lords of Trade to Lord Cornbury.

[New-York Entries, B. F. 327.]

To the Right Hon^ble^ the Lord Cornbury Governour of New York.

My Lord,

We have received your Lord^pp's^ letters of the 19^th^ and 25^th^ of Feb^y^ last, relating to Your Govern^t^ of New York. As to what Your Lordp. writes of the coin and of your having suspended the execution of Her Majesty's proclamation, we find that your Lordship was obliged thereunto, by the necessity of the affairs and Trade of that Colony, occasioned by the refractory humours and disobedient proceedings of the people of New England and other Proprieties. Whereupon we have referred the consideration of that whole matter to Her Majesty's Attorney General, in order to the proposing proper means to oblige those people and all other Her Majesty's subjects in the plantations to a complyance with Her Majesty's pleasure therein, and in the mean time, we do expect to hear from you, what has been the effect of the said suspe[n]sion. We have laid what you write in favour of the Widdow Bridges before the Lord High Treasurer, and you will have notice when his Lord^p^ shall have determined any thing thereupon. We shall expect the accounts of stores of war you promise us.—We have represented to Her Majesty your Lord^p's^ desire that M^r^ Mompesson M^r^ Barbarie and M^r^ Phillips be constituted members of the Council of New York which Her Majesty has been pleased to approve, but we must upon this occasion take notice, that though we have complyed with your Lord^p's^ desire in this particular, yet we do observe that your Lord^p^ could not legally and properly by Your instructions admit the said Gentlemen into the Council, without Her Majesty's previous appointment, the number of the Council then not being under seven, and therefore we desire you would for the future be more punctual in observing your instructions therein, and not fill up the Council above the number of seven, to which number you are limited by your said Instruction, and we must further desire you to be mindful of another of your instructions which requires you to transmit to us the names and characters of 12 persons as you shall esteem best qualifyed to serve Her Majesty in the Council of New York in order to our filling up of vacancies as there may be occasion, which we desire Your Lord^p^ to be careful in for the future.—

We must observe to your Lord^{p} that we have not received from you any minutes of Council since your being in the Govern^{t} of New York, and therefore we desire you by the first opportunity to send us transcripts of all those minutes since your Govern^{t}. We having constantly received transcripts of such minutes from the proceeding Governours. We are.

My Lord.

Your Lord^{p}'s most humble serv^{ts}

DARTMOUTH
PH: MEADOWS
WM. BLATHWAYT
JOHN POLLEXFEN
MAT: PRIOR.

18th July 1705.

Secretary Popple to Lord Cornbury.

[New-York Entries, B. F. 386.]

To the Right Hon^{ble} the Lôrd Cornbury Governour of New York.

My Lord,

The enclosed letter from the Lords Commiss^{rs} for Trade and plantations is in answer to your Lord^{p}'s letter relating to New York, unto which I have nothing in command to add but only to acquaint your Lord^{p} that your letter relating to your Govern^{t} of the Jerseys has been received and read, and several of the proprietors having made objections to the Acts your Lord^{p} has transmitted and to the proceedings of the Assembly wherein they were past, that whole affair is under consideration, and your Lord^{p} will have an account of what shall be determined thereupon by the next shipping.—

Her Majesty having been pleased to issue Her Royal proclamation for a thanksgiving for a victory obtained by Her Majesty's armes over the French in the Spanish Netherlands,[1] I am commanded to send your Lord^{p} the said Proclamation as it is in the Gazete, that your Lord^{p} may appoint a day in a competent time after the receipt hereof, for offering of publick thanks to Almighty God in both your Governments for so great and publick a blessing.

In mine of the 8th of May, I sent you Her Majesty's New Seals for the provinces of New York and New Jerseys. An I am now commanded by the Lords Commiss^{rs} for Trade and Plantations to desire Your Lord^{p} upon receipt of the said seals, to cause the Old seals to be broken before you in Council and transmitted to this Board so broken to be laid before Her Majesty in Council as usual. I am. ettc.

Wm POPPLE Jun^{r}

28th July 1705.

[1] The victory of Blenheim, won by the Duke of Marlborough, August 4th, 1704.—ED.

Commission of Robert Livingston to be Clerk of the City and County of Albany, &c.

[New-York Entries, B. F., 342.]

ANNE R.

ANNE by the Grace of God Queen of England Scotland, France and Ireland, defender of the faith ette. To our Trusty and Welbeloved Robert Livingston Gent: greeting. Whereas by your Petition you have humbly besought us to restore you to and confirm you in your Employments of Town Clerk, Clerk of the peace and Clerk of the Common pleas in the County and City of Albany within our province of New York in America, and to and in the Office of Secretary or Agent for the Govern[t] of N. York to the Indian Nations, with the fees perquisites and salarys to the said respective Offices belonging or granted to you for the exercise thereof. And whereas our Commiss[rs] for Trade and Plantations upon our Reference to[l] Your Petition to them have by their Report certifyed to us, that you have been very serviceable in managing the treaties with the Indians. We have taken the same into our Royal consideration and reposing especial trust and confidence in your Loyalty fidelity and ability, are graciously pleased to restore you to and confirm [you in.] And we do hereby restore, confirm constitute and appoint you the said Robert Livingston, to be our Town Clerk Clerk of the peace and Clerk of the Common pleas in our said County and City of Albany, with all the usual fees, perquisites, advantages and salaries thereunto belonging, and to be Secretary or Agent for the Gov[nt] of New York to the Indians our subjects in those parts, with the Annual Salary or fee of one hundred pounds Sterling formerly granted to you by our late Royal brother King William the Third of glorious memory, and payable quarterly at the four usual feasts or days of payment out of our Revenue of New York. To hold exercise and enjoy the said respective Offices or employments by yourself or your sufficient Deputy or Deputies, with the said respective fees, salaries, perquisites, and advantages during our Royal pleasure. And We do hereby command our Gov[r] Commander in Chief and Council of our said province of New York for the time being, to give effectual orders, that the said salary of one hundred pounds sterling per annum and the other salarys fees and perquisites to the aforementioned Offices belonging, be duly paid and satisfyed to you according to our Will and pleasure herein declared. Given at our Castle at Windsor the twenty ninth day of September 1705. In the fourth year of our Reign—

By Her Majesty's Command.

C: HEDGES.

Caleb Heathcote, Esq., to the Lord Treasurer.

[New-York Entries, B. F. 398.]

To the Right Hon[ble] the Lord Treasurer

My Lord,

I cannot but acknowledge it to be the greatest presumption imaginable for me, who am wholly unknown to Your Lord[p] to take upon me the freedome thus of writing, but when I

[1] In the Record of this Commission in *New-York Council Minutes*, X., 199, this word "to" is *of*; and the words within brackets, a few lines lower down, are omitted. — ED.

consider Your Lord^{p}'s uncommon zeal for the discharge of that trust which is so happily placed in Your Lord^{p} I cannot but believe that anything offered for the advantage of that Crown Your Lord^{p} so faithfully serves will be very acceptable and plead my pardon. I have, Mylord, for some years past been endevouring (tho' as yet something unsuccessfully) to have laid before the Queen, of how great service, these parts of Her Majesty's Empire might be made to the nation, relating to Naval Stores; but thro' the miscarriage of my letters, and by one misfortune or other though I push'd it forward by several hands, I have as yet neither received any directions therein, nor any accounts what I offered, was not approved of; except what I have heard from My Lord of London, who has taken a great deal of pains therein, but by reason of the great hurry which he is continually in, together with his often indisposition he is not able to be so active therein as he would, and being unwilling to lye any longer under suspence in that matter, I have taken this uncommon freedome of writing to your Lord^{p}.—I cannot but take notice by the late Act of Parliament, how zealous the nation is to have a thing of that nature effected, but although what they have already done, may well enough answer their intent, and that speedily, concerning Tar, Pitch, Mast and Rozin, yet unless some new measures are taken, they wont find any benefit thereby relating to Hemp or Flax, which is the most weighty part, and would be of the greatest advantage to the Crown if could be effected, and the reason why there are not any hopes of supplyes of that sort is very plain, for notwithstanding the great encouragement of the prices which have been given by the Merchants for Rigging ever since my coming to this province, which is now fifteen years, viz^{t} from 56 to 90 pounds a Tunn and seldom or never under the former price. Yet the people have had so little inclination to meddle with it, that four fifths of our supplys have been from England and Holland, from whence several hundred Tunns are imported to North America, that until we can raise sufficient quantitys and at such prices, as will prevent its being brought from hence, England can not hope much from us, nor can this, My Lords, be remedied, unless some further measures are taken to forward that noble design, the effecting of which, and of all the difficult parts relating to Naval Stores, so as this Country may see their true interest and be brought into a general humour of carrying it on, is what I am desirious to undertake and endevour at; and I do assure Your Lord^{p} it is not for want of business, nor purely to gain a fortune, that I tender my service on this score; it having always been my principle and practice to prefer the publick before my own private interest, nor has any man in these parts, so much business of his own on the wheels as I have, nor do I blindly guess at what I am about to inform your Lord^{p}. It being the chiefest branch of my business to build Vessells for whom my people do raise Hemp and Flax and make their Rigging, ettc sayles, which gives me a perfect and thorough knowledge in affairs of that nature, and is more than has ever been done by any man, either in this or any other parts of the world, that I have heard of. This full experience in my own affairs, concerning Naval Stores, enables me to be very serviceable to the nation therein, because all I have to do, is only to act the same part over for the Crown, which I am daily doing for myself, and as it were, to draw out copies of my own affairs. I would not be supposed, Mylord, to be about to perswade Her Majesty to lanch out sums of money towards the effecting this great design. I am so far from that (that although the things are very extraordinary which I aim at) that Her Majesty will not only be free from advancing one new penny in making the Essay which afterwards may be carried on in a great measure by the same means, but on the contrary, have a certain profit in trying the experiment, let the success be what it will. What I have to propose to Your Lord^{p}, and that which I hope under

the Blessing and Assistance of Almighty God, to do for the service of the Crown, are comprised under these five heads: Viz^{t}, First, that small ships of war may be built in these parts for less than one half as hath ever yet been done anywhere for the Nation. Secondly: that Rigging may be delivered from hence into the Queen's Stores, as good and as cheap as from the East Country. 3^{dly} That sayle cloth may be made here, near as good and as cheap as in Europe. 4^{thly} That Oak plank may be had delivered at the water at about the following prices: viz^{t} Two inch plank four shillings, Three inch six shillings and four inch, nine shillings the 100 feet in sterl: money, and all the other Plank timber and Boards in proportion. Fifthly. That means may be found to save the half of all victualling and other expences whatsoever relating to the guardship. If I am able to do these great things, and without the least detriment to Her Majesty's service in any other respect, Your Lord^{p}, I humbly suppose will agree with me, that the service will be very considerable, and I assure your Lord^{p}, that I hope I shall.—What I have now to do in the next place is, Mylord, to propose the method how an Essay may be made without putting Her Majesty to any new expence, or disturbing my own fortune in order thereunto, which may be done on this manner: That by an order from the Crown, I may have liberty to make use of six men out of each the Established Company's or that in case, they are so thin of Men, that they cant conveniently spare them all, or that such who are for my purpose wont be employed, I may have liberty for a year to inlist others, they not being obliged to remain longer in the service than the time I employ them. That all the subsistance and pay due to those men, be paid to my order in England. I will with the Blessing of God without any other help goe through every thing I proposed, except building the Friggat, in which no projection need be tryed; for if 450£ be laid out according to my directions in England and insured by the best men which can be found, allowing for that reason 4 per cent extraordinary on the premises, I can for these goods or the value thereof being sold, insurance included, positively Indent with carpenters to build a Friggate or Gally of Deck and half, sufficient to carry twenty four guns, and the Carpenters to find Pitch, Tar, Plank, Boards and all Timber that nothing will be wanting, but the Iron work, except Guns and Stores; for as for Rigging and Sayles, they will naturally flow from the following projection. And if such a Friggate was directed to be built and appointed a Guardship for this Province, and I the liberty to recommend the Capt^{n} that I might meet with no obstruction from him in the Management, and the care of victualling left to me, I should not question, with the blessing of God to make it out in every part what I have proposed relating to the ships of war and their subsistance, and besides the very charge which would be saved in refitting, victualling and Manning a Friggate at home of the same bigness, to be sent for this Port, ere she arrives here would cost the Queen as much or more, then the Hull, Sayles and Rigging of one built in the method I have proposed.—Now as for the experiment or Rigging, sail cloth and plank of all sorts; having liberty of the hands above mentioned or so many as I shall think proper to make use of, I will joyn with them the like number of my own people and employ them on these heads in the best ways and methods I can; so that I will not put myself out of the order of my own business nor wander in new paths, and all the produce which can be had from them under the best direction I can give, shall be one half for Her Majesty's use and the other for mine; and that Her Majesty may be satisfyed I neither defraud the Crown on the one hand, by taking a greater share of the produce than I ought, nor delude the Queen, on the other in making Her Majesty believe, that the profits are greater than they really are, I will have fair and particular accounts kept on the whole matter

and have them made up every quarter, and transmitted on oath, where shall be directed. And whereas it may properly enough be asked what I compute the Rigging may cost the Queen a Tunn sterl: money in the method I have proposed and sayle cloth the yard to be delivered on Board ships here; I believe the former will not exceed twelve or fourteen pounds sterl: a Tunn, and the latter tenpence or twelve pence the yard. It may further be demanded, what I compute the charge would be in maintaining a Gally or Friggate of 24. guns, allowing one hundred Men on Board, when on her cruise, my opinion is, that taking all proper advantages in the good husbandry thereof, it may be done: viz^{t} Victualling with all repairs and charges whatsoever (unless in case of extraordinary accidents) and Mens wages paid and cleared of, Officers excepted, for about 14 hundred pounds sterl: a year, and I hope less. What I propose from a management of this sort relating to Naval Stores, is not that the Queen should afterwards exactly proceed in those methods in procuring of them, but the chief end is, that a projection of that nature being set on foot, would open the eyes of all Her Majesty's subjects in those parts, who would much more early fall to raising of Naval stores of this kind, when they saw it so fairly acted before them, and fully made sensible of the advantages of it, which, without some projection of this nature, they won't easily be brought to. I have not been wanting in giving them the best example and patron I can, concerning Hemp and Flax, no Man in America having ever seemed to be in earnest about it before; and tho' I have not been wanting to spend my best arguments by how much greater advantage it would be to them than anything else they can go upon; Yet I have as yet been able to make but very few proselytes; but were a thing of this nature so publickly set on foot, it would command their notice, and I would endevour with the blessing of Almighty God, to put it under such rules, that they must be very blind, and averse to their own interest if they did not do the like.—I have, Mylord, lived 15 Years in this Province, and have with grief beheld the vast sums of money that has often been little better than squandred away in the ships of War, who many times, instead of their being an ease to us, have been a burthen and vexation in pressing and harrassing the People to that degree, that the City has been sometimes almost starved, nobody daring to come to market for fear of being pressed; to which distemper I also will endevour at a cure, if what I have proposed be approved of. All the objections I can at present reckon up to this design are only two: one, whereof is, that Sir Jeffry Jeffers having undertaken the victualling, I cannot properly have the subsistance, unless I take it here on the terms he is to pay it, if I receive any Men from the Garrison, they may, till I return them, be left out of their Muster Rolles, and for those I inlist, is no need of being placed there, but may all of them (till the experiment is made) remain in a distinct list or Muster Rolle. The other objection is, that the Garrison will be thereby made weaker, which may likewise be easily answered, for none of the men will be employed above six or eight hours March from the Fort, and may repair there on any alarm. And it may be further offered, that never since a Garrison has been maintained in New York but as great or greater numbers than six out of 100 Men have had furlows for equal distances to benefit private persons, and there is much more reason for the Crown, to make use of the same advantage for an experiment, when so great a good is proposed by it. I have, Mylord, by this Fleet likewise taken the freedome and boldness in writing to Mylord of London, and the Secretary of State on this subject, whose letters contain [the same] matter as this; and all I desire is, that in case what I have offered is agreable with your reasons, and believe that it may be for the Queen's service, then that it

may be laid before Her Majesty or otherwise, where it may be most proper, and if the Queen is pleased to lay any commands upon me, relating to what I have proposed, I will endevour to approve myself true and zealous for Her Majesty's service, and that I am.

My Lord,

Your Lord^{p}'s most obedient
humble servant

9th Nov^{r} 1705. CALEB HEATHCOTE.

Lieutenant-Governor Ingoldesby to the Lords of Trade.

[New-York Entries, B. F. 441.]

To the Right Hon^{ble} the Lords Commiss^{rs} for Trade and Plantations.

My Lords,

I have formerly since my arrival into this part of the world tendred my most humble duty to your Lord^{pps} and should not have omitted doing the same by every conveyance, had I not been fearful of disturbing your Lord^{pps} more weighty affaires without having any matter of moment to acquaint your Lord^{pps} with all, for since my arrival and publication of Her Majesty's Commissions appointing me Lieut^{t} Gov^{r} of the province of New York and New Jersey, I have not been allowed by Mylord Cornbury to Act as Lieut^{t} Gov^{r} and not having been of the Council, or been acquainted with the affairs of either of the provinces, so as to give an acc^{t} of the same unto your Lord^{pps} has been the only reason of my silence.

I believe her Majesties intention in appointing me to be Lieut^{t} Gov^{r} of the two provinces over which Mylord Cornbury is Capt^{n} General, was: that neither of the two Govern^{ts} should at any time be wanting of a person to take care of them, and that while Mylord Cornbury was in one of the Govern^{ts}, I should be in the other and act according to my Commissions and such Instructions as I should receive from Her Majesty or Mylord Cornbury here; but I have not yet received any Instructions either from home or from Mylord Cornbury here to Act by.—

About the beginning of November last His Lord^{p} left the Province of New York, where I then was, and went to New Jersey to meet the Assembly there, in a little time after a letter came from the fronteers at Albany directed for Her Majesties service to Mylord Cornbury being sent from the Gentlemen at Albany appointed to manage the Indian affairs to him, this letter having been delivered to me and the Messenger that brought the same discoursing in the Town, that several Indians were seen skulking about Albany and Schonectady, and that the people there were much frightened, and I being informed that that letter was sent to Mylord Cornbury, on that head, I conveened the Council, and took their advice concerning the matter who advised me to open the letter which I did in Council, and found a paper inclosed in Indian and Dutch which I immediately got translated into English, and sent the same Express to Burlington in New Jersey to His Lord^{p} which is about ninety miles distance from New York inclosed in my letter to his Lord^{p} (a copy of which and of the translation from the Indian and Dutch I enclose to your Lord^{pps}, together with a copy of his Lord^{p}'s letter to me on the receipt

thereof) by which your Lord^{pps} will perceive that Mylord Cornbury directs me (while he himself is in New Jersey) to repair thither, he having appointed that for my station and New York to be left without either Gov^{r} or Lieut^{t} Govern^{r}. I immediately obeyed his Lord^{p}'s commands and on my arrival at Burlington waited on his Lord^{p} for his directions, but did not, nor have to this day received any instructions from him.—About three months since, (I having been before that time commanded to Burlington by his Lord^{p}) and then residing there, one of our Chief Indian Sachims, having travelled from this Country to Pennsylvania to Trade and having gott a pass from the Gov^{r} of that Province to Burlington, and being arrived here he applyed to me for a pass to the province of New York, which I granted to him, of which Mylord Cornbury being acquainted, told me that I had done what I had no power to do that it was his prerogative only to grant passes, whereon I desired that his Lord^{p} would please to give me Instructions, that I might know what I had to do, but he told me, he did not design I should Act at all, and that therefore he would not give mè any instructions, adding further that when he was in either of His Govern^{ts} of New York or New Jersey, he was in both.

These Mylords are the only two Acts of Govern^{t} I have done since my arrival here, of which I believe it my duty to acquaint your Lordships.

I humbly pray that since Mylord Cornbury does not think fitt to give me any directions or Instructions to Act by as Lieut^{t} Governour of Her Ma^{tys} said two provinces, that your Lord^{pps} will be pleased to give me directions how I shall discharge my duty to Her Majesty with relation to the Commissions Her Majesty has been pleased to grant me the doing of which none shall be more ready and willing than—Mylords

Your Lord^{pps} most faithfull
most obedient servant
Rich^{d} Ingoldesby.

Burlington in New Jersey
10th Nov^{r} 1705.

Rev. Mr. Freerman to the Commissioners for Indian Affairs at Albany.

[New-York Papers, Y. Z., V. 35.]

Schenectady 2. November 1704.

Gentlemen

Just now I have received a letter from Onnondage by the hands of my Indian, which letter I presently delivered to M^{r} Adam Vrooman, who desired me to translate the same, together with Lawrence the Interpreter, the substance of which is as followeth:—

An Onnondage Indian[1] is arrived from Canada and gives an account about the Belts sent by Coll: Schuyler, viz^{t} that the two Castles Kagnawage and Kanossadage,[2] were willing to accept of the offers sent by the said belts, but that some of them dare not in a case of that moment agree to it, but would rather referr it to their Governor; whereupon the same being sent to their Governor and recéd: by him, the Governor thanked them that they had submitted the mat^{t}er to him and acknowledged him to be their head or master.

[1] Called "Grande Terre," in *Paris Doc.*, VI., 160, and Tohonsiohanne, or Great World, *Ante* p. 998. — Ed.

[2] The Indians of the Lake of the Two Mountains on the Ottawa river, were called Canassadagas.

The Governor answered that Corlaer's lake, or the Lake Rodsio was locked up for them in this matter, as also in regard of merchandize, and that it was ill people that passed that way, but that it was only a path for souldiers and no other; but that the path of peace runn through the Lake of Cadaracqui to Onnondage.

And further that four Kagnawages Indians are gone out to fight against the English, and another number of twenty which this Indian saw go out of Chambly, and sayd that they would go and fight a place called in the Indian language Aorage.

And also that the French this last fall were intended to make an attack somewhere, but it was stopped by the Sachems. As also that an army was preparing with great vigour to make an attack this winter over the ice; but on what place was kept secrett. And lastly this Indian had seen seaven French spyes at the hout Kills[1] by the Little Falls.

Gentlemen.

My Indian had forgot to enter down the date of the month; wherefore I send the letter. I think that it has been about the 30th of the last month of October when the sd Indian came away.

Your freind

Adam Vrooman
Lawrence Vander Volgen

BARNARDUS FREERMAN.

Lieutenant-Governor Ingoldesby to Lord Cornbury.

[New-York Papers, Y. Z.; Y. 36.]

New Yorke 12th November 1704.

My Lord.

As soon as the inclosed came to my hands and I found it directed for Her Maties service, I gott together the gentlemen of the Councill who were in town, and opened the same. I believed your Excellency would find it difficult to find any one at Burlington to translate the inclosed letter, that is in Dutch. I therefore herewith send the translation of it. I design not to leave this place untill the return of the messenger who is sent express on this occasion. I am, My Lord,

Your Excellencies most obedient Servant

RICH: INGOLDESBY.

Lord Cornbury to Lieutenant-Governor Ingoldesby.

[New-York Papers, Y. Z.; Y. 37.]

Burlington November 15, 1704.

Sir

Yours of the 12th Instant came to my hands last night, and it was no small surprise to me to find by it that you had opened a letter directed to me, when you had no instruction from me

[1] Wood Creek, Washington county, N. Y. — ED.

to do it; if I had thought fitt to have left you at New York in the managm^{t} of that governm^{t}, I would have left you proper instructions for that purpose; but you know very well that I have appointed your station in this place. Indeed you desired that you might stay a day or two after me, because of the inconveniency of the inns upon the road, which I readily consented to, expecting you would have followed me; but seeing you doe not, I hereby require you forthwith to repaire to your duty here, that I may not have occasion to accuse you of breach of orders. I expect you comply with this order imediately upon the receipt of this. I am, Sir,

Your humble Servant

Col. Ingoldesby. CORNBURY.

Lord Cornbury to the Lords of Trade.

[New-York Entries, B. F. 426.]

To the Right Hon^{ble} the Lords Commiss^{rs} for Trade and Plantations.

My Lords,

By Her Majesty's ship Lastoff which arrived here on the 20th July last, I had the honour of your Lord^{pps} letters of the 26th of March 170$\frac{4}{5}$ & the 20. April 1705. In the first of which you are pleased to acknowledge the receipt of two of my letters dated the 6th of November with the several Papers mentioned to be inclosed, except only the copy of the Grant made by King Charles the second, of the lands from S^{t} Croix Eastwards, to the Duke of York. I can not imagine how that copy was mislaid, but now I send your Lord$^{pp's}$ another copy of it, by which you will find, that King Charles the Second's grant to the Duke of York extends from S^{t} Croix Eastward, to the East side of de la ware Bay westwards, so that those lands known by the name of the Lower Counties (which lye on the west side of de la ware Bay, and of which the Duke of York granted a lease to M^{r} Penn) is not contained in the grant from the King to the Duke; I do not know of any other grant from King Charles the Second to the Duke of York but this, and I do not hear of any grant made by King James, after he came to the Crown, of those lands, to any person whomsoever, therefore I conceive, those lands are in the Queen to dispose of as she pleases. I am glad you are pleased to approve of the choice I have made of M^{r} Mompesson to be Chief Justice, I hope he will discharge his duty to satisfaction. —

I rejoyce extreamly to find that your Lord^{pps} approve of my proceedings with relation to the Assembly, who continue still in the same obstinate way, as you will perceive by the copy of a Bill which I now send you, and by their Journal, which I likewise send; the Bill was for raising the sum of 1700£ for the defence of the Frontiers, and they inserted the same Clauses in that Bill, which had obliged me to reject the money Bill prepared by the last Assembly; the Council made the same kind of amendments as they had done to the former Bill, and the Assembly made the same answer as the last Assembly had done, so seeing they would not hear any manner of reason concerning that Matter, I adjourned them to the 12th of September, but the Members not being come to town, the house did not sit till the 26th of Sept^{r} at which time I recommended to them the providing for the defence of the Frontiers, but they thought fit to proceed as they had done before; I herewith send your Lord^{pps} the copy of another

money Bill, where they have inserted the same Clauses as before, only in this they grant the money to the Queen, but not to her heirs and successors, which is directly contrary to Her Majtys instructions to me; I likewise send you the reasons offered by the Gentl'men of Her Majtys Council, at a conference with the House of Representatives, against some clauses in the Bill, and the Answer of the General Assembly to the reasons offered by the Council. Now give me leave to inform your Lordpps that those innovations the Assembly now aims at, are carryed on by the same three men I mentioned to you in my letter of the 8th of July last.

As for what relates to Stores of War, I must acquaint your Lordpps, that I sent by the Virginia fleet an account of all the Stores of War expended since my coming to this Govern^{t}, to Mylord Duke of Marlborough, and another to your Lordpps; if that method is not approved of, I will observe such other Methods as you shall please to direct, and for the future they shall be sent half yearly, according to Her Majtys commands or oftner if any conveyance offers. As for the consuption of powder, there has been no other occasion since I came hither, than the salutes to vessells coming in and going out, who salute the Fort: the Queens happy accession to the Throne, Her Majesty's Birth-day and gunpowder Treason, are days on which we fire guns; and the usage here has been hitherto, to salute the Governour at his return from Albany or elsewhere, but this last I have taken off; if you are pleased to order any other salutes to be forborn, I shall obey your commands. Another occasion of consumption of powder since I came, was this; Capt^{n} Rodgers Commander of Her Majesty's ship Jersey, having received orders to go to the Island to Jamaica, wanted powder, & there was then none to be bought in this Town, so he applyed to me for some powder, alledging he could not saile without he were supplyed with powder, so upon that exigency, I did let him have out of the stores twenty Barrells of Powder. If I had not supplyed him, he must have gone without it. I hope this will not be thought a fault. I shall not fail to move the Assembly at their next meeting to raise a Fund for the providing of Military Stores ettc. If I had found small arms here in the condition I ought to have done, I should not have desired any new supply, but I found them all out of repair. How far the Respits will bear the charge of Recruits, I cant tell because I dont know what the charge of raising Men in England will be. I will likewise obey your commands in acquainting the Assembly that they must repay the charge of 50 Barrells of powder to Her Majesty's Office of Ordnance in England, and as soon as I receive Her Majesty's directions for remitting the Value of the said powder, I shall punctually obey Her Majesty's command. I had not desired presents for the Indians, did I not know that it is impossible to keep the Indians steady without presents, I wish that may do. I thank your Lordpps for the Representation you have made about a Man of War for this place, if I durst have writ for two, I should have done it, for it is certain a fifth Rate and a sixth Rate will suit this Govern^{t} much better than a fourth rate. As for the matter of Bayard and Hutchins, I did send your Lordpps an act of Assembly by the Virginia fleet, which I hope will answer the intent. I have received the copy you are pleased to send me of Capt^{n} Nanfan's petition to your Lordpps, I have considered it well, and I do confess, I have not seen anything like it before; I have inquired diligently into the several things which that Gentleman thinks fit to make causes of complaint in his Petition to Your Lordpps, the first is, that the very next day, after he had adjusted matters with his creditors, he had private notice that Mr Mathews and others had entered actions against him to a considerable value, with intent, as he conceives to make him end his life in prison, he being then reduced to a very low estate of health, by the former hardships he had suffered, and from which he is not perfectly yet recovered; Now to

satisfy you upon this point, I here inclosed send you a Certificate under the hand of the Town Clerk of New York, by which your Lord^{pps} will see, what Actions were entered against him, by whom, and for what. As to that part of his complaint relating to the hardships he has suffered, I must take the liberty to say that has never been one minute in prison since I came into this province, but that you may be satisfyed as fully as may be, in that part likewise, I send inclosed an affidavit made by the Sheriff who had him in custody, by which Your Lord^{pps} will see, what the hardships are which he has undergone; the truth of that Affidavit is known to every body here, he was so well used by that Sheriff, that to my knowledge, he has been several days at a time upon Long Island, which is out of the Bailywick of New York. As for his being deprived of his Vouchers, I am sorry a Gentlemen will offer to say any such thing, for he knows very well, he might have had all his things away with him, if he had pleased. In order to obey Your Lord^{pps} orders, in giving such directions as may be fit, that no person whatsoever may in any manner his correspondents from transmitting over to England the Vouchers of his Accounts which he would refer to, I have sent for those persons, whom I have always observed to be the persons he trusted most, mamely M^{r} Walters, M^{r} Abraham Governeur, and M^{r} de Reimer, I asked them, if they had any Capt^{n} Nanfan's papers or vouchers in their hands, and if they had any orders from Capt^{n} Nanfan to transmitt them to England, they severally made answer that they had no papers belonging to Capt^{n} Nanfan in their hands, only M^{r} Governour said he had an old blotted Book in his hands, but that he had no orders to send it, nor could it be of any use to Capt^{n} Nanfan if he did send it. M^{r} Walters indeed said that he was bound for Capt^{n} Nanfan in a considerable sum of money to one Theobalds, a Merchant in this City, to facilitate his going for England, that Capt^{n} Nanfan gave him Bills of Exchange for that money, upon his Lady in Barbadoes, and that M^{rs} Nanfan returned for answer, that her husband had ordered her not to pay those Bills; M^{r} Walters further said, that at this very time he is sued by Theobalds, for that money. I asked those Gentlemen if they knew any body else here, in whose hands he might probably leave any papers, they said, that they know not of any body that he had left any thing with, if any correspondent of Capt Nanfan comes to me for assistance, he shall certainly have it to the utmost of my power; but if I may offer my thoughts, I am apt to believe Capt^{n} Nanfan will be puzzled to find vouchers to his accounts; I am sure, it was so, when he was here; however, I hope, your Lord^{pps} will not think fit that the 1500£ he mentions to be in M^{rs} Thrale's hands, should be paid to him, till his accounts are stated, because I believe he will appear to be debtor more than the 1700£ he demands, upon the ballance of the Account. I have received the Acts of Parliament you are pleased to mention, and have caused them to be published, in every County of the Provinces of New York and New Jersey, and I will take care to pursue the directions of them upon all occasions. I have likewise received Her Majesty's letter, directing the Accounts I am to send of the publick Stores, which I will be sure to obey; I did intend to have sent one account by this conveyance, but I could not get the account of the Stores from Albany time enough, but if it please God I live till spring, I will send such an Account as I hope may be satisfactory. Thus, I hope, I have answered your Lord^{pps} letter of the 26th of March 1705. which relates particularly to the province of New York, that of the 20th of April which relates to New Jersey, I shall answer by another letter. Now I take the liberty to acquaint you, that the Assembly which was sitting at the time when I wrote last, did pass several Bills, that is, a Bill entituled, An Act for the better explaining and more effectual putting in execution an Act entituled, an act for settling a Ministry. An Act for enforcing and continuing a Post Office.—

An Act to prevent running away of Negro Slaves out of the County of Albany, to the French at Canada. An Act to enable the Justices of the peace for the City and County of Albany to raise one hundred pounds for the repairing a common Goal, and City and County Hall. An Act for the preservation of Deer. An Act for reviving and constituting[1] an Act entituled: An Act for regulating Slaves. An Act for an allowance to the Burgess of West-Chester. An Act for continuing an Act for laying out, regulating and clearing common highways in this Colony. An Act to enable William Bradford of the City of New York printer, to sell and dispose of the real Estate of John Dewsbury deceased, for the payment of Debts. An Act declaring the illegality of the proceedings against Coll: Nicholas Bayard and Alderman John Hutchins for pretended high Treason, and for Reversing the said Judgement, and all proceedings thereon. These ten Acts are all that could be passed this sessions; I earnestly intreat your Lord[pps] to recommend the first Act to Her Majesty for Her Royal confirmation; it is an Act that will make the Ministers in the Country very easy, whereas hitherto they have been very uneasy, because their maintenance was so precarious which by this Bill is made more certain. The second is an Act of absolute necessity, for without it the Post to Boston and Philadelphia will be lost. The third is an Act become necessary by some of their Negroes lately running away into Canada. The fourth is so necessary that their Goal, City and County Hall are tumbling down. The fifth was passed at the request of most of the best people of Long Island, and I think it is reasonable. The sixth is what the Country have found Benefit by, and therefore are desirious it should be continued. The seventh is no more than what the other Members are allowed, and therefore I can not but think it reasonable. The eighth is a very necessary Act, the Commissioners appointed by the former Act not having been able to finish the work in the time. The ninth is a private Act for the sale of the Estate of one Dewsbery; I can offer no better reasons for the passing that Act, than those contained in it, which I hope will appear sufficient. The tenth will likewise speak for itself. I did acquaint Coll: Bayard, what the Queen's pleasure was, and he choose rather to do it by this Act, than to give security. I hope it will answer M[r] Attorney General's objections to the former Bill, therefore I hope her Majesty will be graciously pleased to confirm all the above mentioned Acts. I have received a letter from your Lord[pps] of the 20[th] of April 1705. and with it a commission for the tryall of Pyrates, which I will take care to pursue upon all occasions, and will give you an account of all proceedings from time to time in that affair.

I am with great respect—etc—

20. Nov[r] 1705 CORNBURY.

Lord Cornbury to Mr. Secretary Hedges.

[New-York Bundles, S. P. O.]

New York 9[ber] the 22[d] 1705.

Sir

I had the honor of your letter of the 20[th] of Aprill by Her Majesty's Ship Lastoffe, on July the 20[th] for which I return you many thanks. You are pleased in it to inform me of Her Majesty's royall intentions of opening a trade with Spain for the advantage of her subjects,

[1] "An act for reviving and *continuing*," &c., are the words in *Assembly Journal*, I., 203.—ED.

which seems to be more perticulerly beneficiall to those in the West Indies, and you are pleased to say that you doe not doubt but I will give all encouragement to it that I can. I humbly thank you for the good opinion you have of me and intreat you to believe that nothing shall be wanting on my part to the best of my understanding. I have received the Act of Parliament for encouraging the importation of Navall stores from Her Majesty's Plantations in America which in obedience to the commands you have sent me I have communicated to Majesty's Councill for this Province and to the Generall Assembly, and have likewise caused it to be published in every County within this Province, and that of New Jersey. I am well satisfied that that Act will be very advantagious to these Collonys as well as usefull to England, if the people here will take the right methods, which I will endeavour by all the ways I can to perswade them to, and I will endeavour to prevail with the Assemblys of these two Provinces to passe such Acts as may most efectualy contribute to the carrying on soe good a work. I am satisfied the gentlemen of Her Majesty's Councill will doe anything in their power towards it, and I hope the Assembly may be prevailed with to doe their part too.

Now I shall take the liberty to acquaint you with the proceedings of the Generall Assemblys of these two Provinces of New York and New Jersey, since I had the honour to write to you by the Virginia Fleet, and I shall first begin with the Assembly of New York, who were sitting at the time when I wrote last. I then sent you a copy of a bill they had prepared for the defence of the frontiers, the amendments made by the Councill here to that bill, and the resolve of the House of Representatives upon those Amendments. I now send you duplicates of those and likewise a copy of the Journall of the House, by which you will see that they went on in the same methods the last Assembly had done; and the time drawing nigh in which I had appointed to meet some persons at the East end of Long Island upon some matters relating to the Collony of Connecticut, I did adjourn the Assembly to the tenth day of 7^{ber} at which time I was ready to meet them, but the members not being come to towne, the Assembly did not sit till the 26th They then prepared a Bill for the raising of £1600 for the defence of the Frontiers, but they incerted the same clauses they had done in the Bill I sent you by the Virginia Fleet; the Gentlemen of the Councill considering how the Assembly had used them in their Sessions of July with relation to the Amendments made to the Money Bill (since they would neither consider of those amendments nor desire a conference, by which means the difference between them might perhaps have been adjusted) were resolved to try another method, and having read the Bill twice before they committed it, they demanded a conference with the Assembly upon the subject matter of that Bill, hoping at that conference to convince the Assembly how impossible it was for me to passe that Bill as it was worded. But the Assembly were resolved not to be convinced; soe when the Gentlemen of the Councill saw that, they proceeded as they had done formerly, and made Amendments to the Bill, much of the same nature with those they had made to the former Bill, and the Assembly made the same resolve they had done the last Sessions. Soe seeing they would not make any provision for the defence of the Frontiers, I adjourned them to the first day of May 1706. I herewith send you a copy of the Bill, the reasons the Gentlemen of the Councill offered at the Conference against some clauses in the Bill, the Answer of the Assembly to those reasons, then the Amendments made by the Councill to the Bill, and the Resolve of the House upon those Amendments. I shall not trouble you with observations upon those proceedings now, having done it upon the like occasion by the Virginia Fleet; only I shall observe their answer to the Councill upon Collonell Heathcotts carrying the Bill to them with some amendments to which

he desired their concurrence. It is in these words: the Assembly cannot receive the message this day sent from the Councill but with the greatest surprize imaginable, they having often been acquainted with the constant resolution of this House relating to Amendments made to money bills. Thus you see Sir how arbitrary they are in their resolves; but I have said soe much of this matter before that I will not tire your patience any more now upon that subject. The very day that I adjourned the Assembly of New York I went towards Amboy to meet the Assembly of New Jersey, which stood adjourned to the 15th of 8^{ber} which was a Munday. I arrived there on Sunday morning before, very early, having been upon the water all night. When I arrived there I found but two of the Gentlemen of the Councill come from the Western Division, the rest, being Quakers, think I am bound to wait their leisure. There were none of the Members of the Western Division come neither; they are all Quakers too, except one; but on the 17th the House sat, on the 18th the House came to this resolution, the motion being made and the question put, that His Excellency's speech containing very weighty matter, whether this House shall proceed upon any businesse untill it be full or not; it passed in the negative. Soe you see they were not to proceed upon any businesse at all till the House was full. Now Sir that you may the better understand what they mean by the House being full I must acquaint you that at the first meeting of this New Assembly, which was at Burlington in 9^{ber} 1704 when the Members came before me in Councill to qualify themselves, I administered the oaths to all those who were willing to swear, and then the Quakers were going to take their attestation; but two of the Members of the Councill, that is M^{r} Revell and M^{r} Leeds objected against three of the Members of the Western Division for not being quallified according to the Queen's instructions to me, that is, for not having a thousand acres of land in their own right in the Division for which they are chosen. Upon this I asked the opinion of the Councill, who were of opinion that those against whom there was noe objection should quallify themselves and that those three should make proof of their qualifications, that is, of their having a thousand acres of land each, and accordingly the rest were admitted; and I recommended it to the Assembly to proceed in the first place to inquire into the quallifications of those three Members excepted against. But they did not doe as I desired them, but proceeded upon businesse and towards the end of the Sessions they sent me a message by two of their Members in which they acquainted me that they were satisfied the three Members excepted against, were duly quallified. To which I made [answer] that the exceptions were not taken by me, but by two of the Councill, in Councill, and that if they would impart those proofs to me in Councill which had satisfied them, I would admit them immediately. But the pride of the Quakers would not let them doe that, and the House was adjourned in few days afterwards, to the month of May following, and those three Members not admitted. In May I went to Burlington to meet the Assembly, but the Members of the Western Division not coming I was forced to adjourn the Assembly to the month of 8^{ber} to meet at Amboy, at which time they made the Resolve mentioned on the other side, and sent me the same message they had sent me a year agoe about the three Members, to which I made the same answer. Whereupon they sent the three Members to prove their quallifications. This took some days, because some papers were wanting: as soon as those papers were come they proceeded to prove that they were each of them possessed of a thousand acres of land, but I can't say it was in their own right; for there is a cause depending concerning some of their lands. However the Gentlemen of the Councill were of opinion they ought to be admitted & accordingly they were, and I sent the Secretary to acquaint the House that they had quallified themselves; but instead of

proceeding upon businesse they adjourned till the next day which was a Saturday, and then they adjourned to the Tuesday following. I asked the Speaker how they came to adjourn for soe long a time considering how late it was in the year. He told me he and his friends must goe to the yearly meeting which was to be held at Shewsbury the Sunday following soe that as long as the Quakers are allowed to be chosen into the Assembly, the service of the Queen and the businesse of the country must wait upon their humours. However on Tuesday they met and adjourned again till the next day; they then met & I find in their Journall these words; — Whereas the motion was made and question put that the House should not proceed on any businesse untill such time as it was full, which past in the negative, and that whereas now the said obstruction is removed and the House being full, Resolved that the House shall forthwith proceed upon businesse. Now I must observe to you that at the time they said the House was full, there were three Christian members wanting, but the three Quakers being got in the House was full, soe that it was not a full House of Members that they wanted, but a full House of Quakers, now their being a full House as they call it, they think fit to make an Addresse, of which I send you a copy; how well they have followed their addresse in their actions, their Journall of which I send you a copy will best shew. However seeing they were resolved to doe nothing, and hearing from New York that that part of the Jamaica fleet which had put in there was almost ready to sail, I was forced to adjourn the Assembly to the first day of May next to meet at Burlington; where I will not fail, if I am alive, to be at the time appointed, to see if they will do any thing even for their own good. Thus I have given you an account of what has hapned here since I wrote last; if I have made any mistake in my proceedings here I beg I may receive your commands how to rectifie them, which shall always be obeyed by

Sir

Your Most faithfull
humble servant

S^r^ Cha: Hedges. CORNBURY.

Lords of Trade to Lord Cornbury.

[New-York Entries, B. F. 334.]

To the Right Hon^ble^ the Lord Cornbury Gov^r^ of New York.

My Lord,

Since our letter of the 18^th^ of June last, a Duplicate whereof is here inclosed, we have rec^d^ your Lord^p^'s letter of the 8^th^ July and the papers therein referred to, but we have not received Your Letter of the sixth of November, which you refer us to, and therefore we desire your Lord^p^ upon all occasions to send us duplicates of all your letters by different conveyances. — We have considered what your Lord^p^ has acquainted us with, upon the Bill for raising seventeen hundred pounds. Whereupon we observe that the Assembly was very much to blame in disputing the Councill's Amendments in that Bill, for that the Council has undoubtedly as much to do in the forming of Bills for the granting and raising of Money as the Assembly, and consequently have a right to alter or Mend any such Money Bills, as well as the Assembly. In other Her Majesty's Plantations, the Assemblys do not pretend to the sole Right of framing

Money Bills, but admitt of the Councill's Amendments to such Bills, as there may be occasion. No Assembly in the Plantations ought to pretend to all the priviledges of the House of Commons in England, which will be no more allowed them, then it would be to the Council, if they should pretend to all the Priviledges of the House of Lords Here. We are also of opinion that the Assembly have committed another error in the preamble of that Bill in not granting the Money thereby intended to be raised to Her Majesty, which is more than the Assembly of the Massachusetts Bay under their Charter have presumed to do, and which need not hinder the Assembly of New York from appropriating the money so granted to such particular uses as are found requisite. We do further observe that the penalty in the last Clause of the Bill is of an extraordinary nature, such as no Assembly any where else ever attempted before. It is highly presumptious in the Assembly to pretend to propose or pass any clause, whereby Her Majesty is restrained in her Royal prerogative of pardoning or Reprieving her subjects, whenever she sees it reasonable and convenient. Besides there are divers other exhorbitant severities in it which may occasion Law suits, and tend to the distruction of families of which there has been examples in New York. The Penalty ought rather to have been pecuniary with imprisonment till the penalty be paid. We desire your Lord^{p} therefore to acquaint the Assembly with these matters that they may avoid the like errors for the future.—We do likewise observe to your Lord^{p} that when the Assembly raise extraordinary supplyes for particular uses (which is no part of Her Majesties standing and constant Revenue) They may be permitted to name their own Treasurer. And such Treasurer may for such supplyes be made accountable to the Assembly and to the Governour and Council also. And such moneys may be issued by warrants from the Collonels, Capt^{ns} and according to the direction of the Act; but the Gover^{r} ought always to be informed of the occasion of the issuing of such warants, and all persons concerned, whether Collonels, Captains, Treasurer ettc, ought to be accountable to the Governour Council and Assembly as aforesaid.

Now having given your Lord^{p} an account of what we think amiss on the part of the Assembly, we hope no occasion has been given by the Govern^{t} for any just diffidence, and that Your Lord^{p} has and will lay before them an account of all monies raised by Acts of Assembly whenever they shall desire the same, that upon their being satisfyed with the right application thereof they may be incouraged to raise further supplies towards their own support and protection as is expected from them by Her Majesty, whereby an end may be put to the demands Your Lord^{p} makes from hence of arms and Amunition for the defence of the country, it being thought reasonable, that each Colony should make due provision thereof for themselves. And we further recommend that such moderate and persuasive means be used by Your Lord^{p} with the Assembly, that her Majesty's subjects in that Province may not be deprived of the succours that are necessary for their preservation—

We are glad Your Lord^{p} is preparing to send us the minutes of the last Assembly, but as we have received none from Your Lord^{p}, We desire that we may have fair transcripts of all Minutes of Councill and Assembly, and of all other publick proceedings since Your Lordship's Government.—Two Friggats viz^{t} The Lowestaff, a fifth rate of 32 Guns and 145 Men, Capt^{n} George Fane Commander and the Tritton's Prize a sixth rate of 30 Guns and 115 Men, Capt^{n} Thomas Miles Commander, having some time since been sent to attend the service of New York; We doubt not but they will be sufficient to protect the coast of New York from the French Privateers.—The Account of Stores of warr expended at New York your Lord^{p} has sent us, is not so particular as it ought to have been, for by that we cannot tell what stores are remaining, and therefore can not ask for any to be sent 'till we know the particular

of what is wanting and that your Lord^{p} may be the better enabled to give us such an Account as will be necessary, we send you here enclosed a copy of Her Majesty's letter to you, which we forwarded to Your Lord^{p} in ours of the 26th of March last, by which you will perceive what sort of account it is Her Majesty expects; unto which we are to add that the province of New York, ought to provide towards its own security, by giving such necessary funds (as is done in other Plantations) for furnishing the Inhabitants with arms, as there may be occasion. And therefore Your Lord^{p} will do well, to represent this matter to the next Assembly. And we must caution Your Lord^{p}, that none of the publick powder be spent in unnecessary salutes.

It being thought fit that the respective Plantations, should provide themselves with salute Books and such small necessaries, where they are wanting, we have acquainted M^{r} Sloper Your Lord^{p}'s Agent therewith.—The New Seal for the Province of New York was sent to Your Lord^{p} by Coll: Nott[1] Gov^{r} of Virginia, and we doubt not but your Lord^{p} will have received it long before this.—We have now under consideration an Act we received from Collonel Lodwick, entituled: "An Act declaring the illegality of the proceedings against Coll: Bayard and Alderman Hutchins for pretended High Treason ettc" which has no date to it, nor is it signed by Your Lord^{p}, so that it does not appear, when it was past; whereupon we must remind you of what we have formerly writ, viz^{t} that all Acts ought to express the year of Her Majesties Reign in which they are passed, and also have the time when they passed the Assembly, set down at the bottom, as well as the time when they passed the Council and received Your Lord^{p}'s assent, which we desire Your Lord^{p} therefore be mindful of for the future.

Her Majesty having thought fit to send Capt^{n} Rednap to succeed Coll: Romer for the finishing and repairing the Forts and Fortifications in New England and New Yorke, and the said Rednap having been some considerable time already in New England; your Lord^{p} may so soon as he shall have finished his work there, send for him to attend the service of New York—We are—My Lord. ettc.

DARTMOUTH, ROB^{t} CECILL, PH: MEADOWS
4. Feb^{r} 1706. W^{m} BLATHWAYT, JOHN POLLEXFEN MAT: PRIOR.

P. S. Our Secretary in sending you the Warrants for using the new Seal, having omitted to acquaint you, that the old one after it was broken was to be returned to us to be laid before Her Majesty in Council. We think fit to give you this notice that you may do the same by the next opportunity.

Secretary Popple to Mr. Lowndes.

[New-York Entries, B. F. 414.]

To M^{r} Lowndes.

S^{r}

Your letter of the fourth instant referring to the Lords Commissioners of Trade and Planta^{tns}, by Mylord Treasurer's order, a letter from M^{r} Caleb Heathcote to his Lord^{p},

[1] EDWARD NOTT (incorrectly called Benjamin by Oldmixon) was the first deputy to George, Earl of Orkney, who held the sinecure office of Governor in chief; he succeeded Colonel Nicholson in 1705 and died in 1706. During his brief Administration, a new Digest of the Laws of Virginia, which had been in preparation for several years, was reported to the Assembly and passed. —ED.

containing his proposal for providing certain quanties of Naval stores, at New York, hath been laid before the Board, whereupon they have commanded me, to desire you to lay before his Lord^{p} their opinion as follows:

That they find this proposal, if agreed unto, will engage the Crown in great uncertainties, that the transmitting to him of English goods, to the value of four hundred and fifty pounds sterl: for the building of each ship according to his proposal, will necessarily engage Her Majesty in the expence of maintaining an Officer here to purchase such goods, and hold constant correspondence with him there; And as to the iron work necessary for the said ships, he is not particular enough either in the charge thereof, or in the manner of sending it thither.—That they conceive his proposal of making sail cloth at New York not proper to be encouraged, for that it will be more advantageous to England, that all Hemp and Flax of the growth of the Plantations should be imported hither, in order to the manufacturing of it here. That they can not think his proposal of having six Soulders out of each company advisable, especially during this time of War, for that the safety of the Province, will not admit of their being taken from their posts. To which I am to add, that the paying to his order here in England, the subsistance and pay of 24 Men proposed to be enlisted by him will cause great confusion and disorder in the accounts of the Soldiers there. Their Lordships are further of opinion, that the late "Act for encouraging the Importation of Naval stores" was designed as a general invitation to all persons whatsoever to promote that undertaking, and that a complyance with this or any particular proposal (in which the Crown is to be concerned) will tend to the obstructing the publick benefit designed by the Act.—I am ettc.

22nd February 1706. Wm Popple Jun^{r}

Order in Council revoking Colonel Ingoldesby's Commission as Lieutenant-Governor of New-York, &c.

[New-York Entries, B. F. 452.]

At the Court at Kensington the 11th of April 1706.

Present—The Queen's most Excellent Majesty in Council.

Upon reading this day at the Board, a representation from the Lords Commiss^{rs} for Trade and Plantations dated the 8th inst: in the words following viz^{t}:

May it please Your Majesty

Having received letters from New York and New Jersey and particularly from Coll: Ingoldesby, relating to his two Commissions from your Majesty, the one as Lieut^{t} Gov^{r} of New York & the other of New Jersey, wee do find that the execution of the said two Commissions does cause disorders and differences in those Govern^{ts} with regard to the Gov^{r} in Chief and otherwise, Whereupon we do humbly represent to Your Majesty, that upon the surrender of the Govern^{t} of New Jersey to your Majesty the Gov^{r} in chief of the neighbouring province of New York, was by a distinct commission constituted Gov^{r} of the said province of New Jersey, And whereas the Gov^{r} of New York, does most reside at New York and that

upon the occasions of his being absent from thence to visit the Jerseys, there is a president and Council in New York for the dispatch of business there, Wee are humbly of opinion, that your Majesties service does no ways require, that there be a Lieut^{t} Gov^{r} of New York, and that therefore the Commission to Coll: Ingoldesby as such be revoked.

And whereas we do find that notwithstanding his being L^{t} Gov^{r} of New Jersey, where it will be his duty to reside, he is not yet appointed of the Councill there, wee are further humbly of opinion that your Majesty be pleased to appoint him of the said Councill of New Jersey.—

All which is most humbly submitted

DARTMOUTH— ROB^{t} CECILL, PH. MEADOWS,
JOHN POLLEXFEN— W^{m} BLATHWAYT— MAT: PRIOR.—

Her Majesty approving of the said Report, is pleased to order that the Commission for Constituting Coll: Ingoldesby Lieut^{t} Gov^{r} of New York, be revoked, and that he be forthwith admitted and sworn one of the Councill of New Jersey, and the Right Hon^{ble} M^{r} Secr: Hedges is to cause a Warrant or Warrants to be prepared for her Majesty's Royal Signature accordingly

CHRIST: MUSGRAVE.

Lords of Trade to Lord Cornbury.

[New-York Entries, B. F. 459.]

To the Right Hon^{ble} the Lord Cornbury Governour of New York.

My Lord,

Since our letter of the 4th Febr^{y} a duplicate whereof is here inclosed, we have received your Lord$^{pp's}$ of the 13th of July, 20th & 26th of November last.—As to the first of your Lord$^{p's}$ said letter relating to M^{r} Byerly, we understand that My Lord Treasurer has restored him to the execution of his Office; for that amongst other things he being his Lord$^{p's}$ immediate Officer, complaint should have been made to him, and his Lord$^{p's}$ directions received before any suspension.—We have not received the Copy of King Charles the second's grant to the Duke of York for Lands from S^{t} Croix to Delaware Bay, mentioned to be in your Lord$^{p's}$ letter of the 20th of November; but instead of it, the draught of a surrender from the proprietors of East and West N: Jersey to His late Majesty King William; however we have an entry in our Books of the said grant, and therefore your Lord^{p} need not send us any copy of it, and are satisfyed that Newcastle and the two lower Counties, are not included in the grant; but M^{r} Penn having a lease thereof from the Duke of York who was in possession, he does insist upon his own right by virtue thereof.

Your Lord^{p} will perceive by our letter of the 4th of Febr^{y} that the accounts of Stores of War. which you had then sent us, was not so particular as was expected; and therefore we again inclose in the Duplicate of our said letter; a copy of Her Majesty's letter to you in that behalf and desire that the next accounts of Stores your Lord^{p} shall send, may be conformable thereunto.

Wee have acquainted Mr Sloper your Lordp's Agent, with what your Lordp writes about the twenty Barrells of powder, which you delivered to Captn Rogers, Commander of Her Maties Ship Jersey; but your Lordp ought to have sent us the receipt of Captn Rodgers for the said powder, which would have facilitated your Agent's procuring the repayment thereof from the Admiralty.

Your Lordp having found the small arms out of repair, they ought to have been mended at New York or sent home to England to have been exchanged; however, your Lordp will do well, to move the Assembly to settle and appropriate a certain Fund for the buying of arms for the use of the province, as is done in other Her Majesties plantations.

We have communicated to Captn Nanfan what your Lordp writes in relation to his Petition, and as soon as we have his answer, wee shall not fail of giving you notice thereof.

Wee must again remind Your Lordp of dating and signing the Acts, for those we have received with your Lordp's letter of the 20th of November are again transmitted without dates; and therefore desire that at the bottom of all Acts, the year of Her Majesty's Reign in which they were passed be expressed, as also the time when they passed the Assembly, as well as when they passed the Council and received your Lordp's assent.—

Wee have considered your Lordp's letter of the 26th of November and the papers therein referred to, relating to the irregularities in Connecticut and Rhode Island, and expect the further proofs your Lordp does promise to send us, in order to the laying that whole matter before Her Majesty. In the mean time we send you here inclosed copies of Two Addresses from the House of Lords to Her Majesty upon complaints made to them against the proprietary Governts of Carolina and the Bahama Islands for Your Lordship's information—

As to Colonel Ingoldesby we are to acquaint your Lordp that Her Majesty has been pleased to revoke the Commission to him as Lieutt Govr of New York and to order that he do reside in New Jersey where he is likewise appointed one of the Council.

Wee are, My Lord,

Your Lordship's ettc.

DARTMOUTH
Wm BLATHWAYT
JOHN POLLEXFEN
MAT: PRIOR.

1. May 1706

Order in Council for a Commission of Review relative to the Mohigan Indians.

[New York Papers, Y. Z.; Y. 42. Copied from Proprietles, O. 71.]

Council Seal.

At the Court of Windsor the 10th of June 1706.

PRESENT—THE QUEEN'S MOST EXCELLt MAty: in Councill.

Upon reading this at the Board a report from ye Rt Honble the Lords of the Committee for hearing of Appeals from the Plantations, on the Petition of Sr Henry Ashurst Bart on behalfe of the Governour and Company of Her Matys Colony of Connecticut and of great number of Freeholders in the said Colony, complaining of a Commission and Decree made by vertue

thereof, by the Governour of the Massachusetts and other Commrs for hearing and determining the pretences of the Mohegan Indians to certain tracts of land adjoyning to the said Colony; and their Lordps humbly offering it as their opinion that the sentence of Costs given by the Commrs be reversed; but it appearing the Mohegan Indians are a nation with whom frequent treatys have been made, the proper way of determining the aforesaid differences is by Her Matys royall Commission; Their Lordps are further humbly of opinion that a Commission of Review be granted and that in regard of ye poverty of the said Nation of Indians and for preventing them from going over to the French the said Commission of Review and all other necessary dispatches be expedited at Her Matys charge, as soon as conveniently may be in favour of the said Indians accordingly.

Her Maty approving of the said Report is pleased accordingly to order, that the said decree made the 24th of August 1705. for Costs, be, and it is hereby reversed, and that a Commission of Review be granted for hearing and determining the pretentions of the said Indians; Her Maty being pleased to name the Rt Honble the Lord Viscount Cornbury, Governour of Her Matys Province of New York, to be one of the Commrs and to referr it to ye Lords Commrs for Trade and Plantations to propose to Her Maty such other persons as they shall judge proper to be inserted in the said Commission, and also to prepare minutes to be sent to Mr Attorney Generall for his instructions for drawing the said Commission for Her Matys royall Signature. And it is further ordered that it be referred to the said Lords Commrs to consider of ye petition of ye Agent of the said Indians (hereunto annexed) relating to the executing the said Commission in Connecticut, and all other necessary dispatches to be passed and expedited at Her Matys Charges in favour of the said Indians, and to report ye same to this Board with all convenient speed.

(signed) JOHN POVEY.

(*Petition annexed.*)

To the QUEEN'S MOST EXCELLt MAty.

The humble petition of William Wharton Esqr in behalf of Owaneco, Chief Sachem of the Mohegan Indians in New England:

Sheweth:—

That on ye 21st of May last past a hearing was had before the Right Honble the Lords Committee for hearing Appeals from the Plantations upon an appeal of Sr Henry Ashurst in behalf of ye Govr and Company of Connecticutt Colony in New England, from a judgement or Decree there given in favour of the said Owaneco the Mohegan Indians, by Commissioners appointed by your Maty under the Great Seal of England for hearing and determining that matter; that their Lordships having (amongst other things) thereupon reported to Your Maty as their opinion, for the reasons in the said report given, that a Commission of Review be granted, and that all other necessary dispatches relateing thereto be expedited at your Matys charge, in favour of the said Indians:—

Your Petr therefore, in behalf of the said Indians in regard of their great poverty & the want of money amongst them, & of the ill consequences that may attend their going over to the French and other Indians, enemys there, most humbly prays your

Ma^{ty} favour may extend to them, aswell in respect of the charges of executing, as in issuing the said Commission, & that orders may be given for a speedy dispatch & return of said Commission

And your Pet^{r} as in duty bound shall ever pray &^{c}

W^{m} WHARTON

A true Copy

(signed) JOHN POVEY.

Order in Council for a Commission of Review in the case of the Mohegan Indians.

[New-York Entries, B. F. 470.]

At the Court at S^{t} James's the 26th of June 1706.

PRESENT—The QUEEN'S MOST EXCELL^{t} MAJESTY in Councill—

WHEREAS in pursuance of an Order of this Board of the tenth inst: the Lords Commiss^{rs} for Trade and Plantations did this day propose to Her Majesty the several persons hereafter named as most proper to be inserted in the Commission of Review, with the Lord Viscount Cornbury, whom her Majesty has been pleased to nominate first Commissioner for hearing and determining the pretences of the Mohegan Indians to certain Tracts of land adjoining to Connecticut, and claimed by the Gov^{r} and company of that Colony viz^{t} Peter Schuyler, William Romer, William Lawrence, Gerardus Beckman, Rip Van Dam, Caleb Heathcote, Thomas Wenham, Killian van Ranselaer, Roger Mompesson, John Barbarie and Adolphus Philips Esq^{rs} being all of Her Majesties Council of New York, and no ways as the Lords Commiss^{rs} can understatnd interested in this controversy, any five of whom (the Lord Cornbury being one) to be a Quorum. Her Majesty in Council is pleased to approve thereof, and to order that a Commiss^{n} be forthwith prepared and passed under the great Seal of England, to the several persons above named for hearing and determining the aforesaid differences, and the Right Hon^{ble} M^{r} Secretary Hedges is to prepare the necessary Warrants for Her Majesties Royall signature accordingly; and Her Majesty is further pleased to order upon the Report of the said Lords Commiss^{rs} for Trade and in regard of the poverty of the said Indians and their dependance on the Crown, that the said Commission and all other Dispatches relating to this business, be passed the several Offices here gratis, with all expedition.—

JOHN POVEY.

Lords of Trade to Lord Cornbury.

[New-York Entries, B. F. 468.]

To the Right Hon^ble^ the Lord Cornbury Governour of New York.

My Lord,

Her Majesty having been pleased to grant a Commission of Review, for the hearing and determining a difference between the Govern^t^ of Connecticut and the Mohegan Indians about certain lands claimed by both parties, and to appoint Your Lord^p^ with the Council of New York to be Commiss^rs^ in that behalf; Wee have received Her Majesty's further directions, to signify to Your Lord^p^ and the rest of the Commiss^rs^ that in regard of the poverty of the said Indians and their dependance on the Crown (the said Commission and other dispatches being past here gratis) they be not put to any expence whatsoever in the execution of the said Commission in those parts. Wee inclose your Lord^p^ the Copy of Coll: Dudley's proceedings upon the first Commission for your Lord^p^'s information, and to the end you may be better apprised of the whole matter upon the arrival of her Majesty's Commission of Review. We are—My Lord Your Lord^p^'s ettc.

DARTMOUTH ROB^t^ CECILL, PH: MEADOWS
W^m^ BLATHWAYT JOHN POLLEXFEN MAT: PRIOR.

8. July 1706

Lords of Trade to Lord Cornbury.

[New-York Entries, B. F. 472.]

To the Right Hon^ble^ the Lord Cornbury Gov^r^ of New York.

My Lord,

Finding that Lieut^t^ Congrave is not yet gone, Wee take this opportunity to acquaint Your Lord^p^ that the Office of Ordnance upon occasion of the Stores demanded by your Lord^p^ for the Colony of New York have Reported to Her Majesty in these words: viz^t^:

"That they have not any account of the remain of the Stores there, so that it is impossible for them to make a true Judgement of what is necessary to be sent." Your Lord^p^ will therefore find the occasion of Her Majestys not sending of Stores, has been the want of the necessary accounts, which your Lord^p^ should send us and the Board of Ordinance by all conveyances, and particularly an account of remains of stores of all sorts, and an account of the expences and necessity of such expences of the Stores of Ordnance, without which no supply is to be expected from hence; but wee must withall exhort your Lord^p^ again, to lay these wants before the Assembly, that they may make such provision of money as shall be requisite to purchase a supply of Stores of all sorts for their own defence in the Colony of New York which you are likewise to do to the Assembly of New Jersey for their particular security.

Wee are—My Lord—Your Lord^p^'s ettc:

DARTMOUTH
ROB^t^ CECILL
WILLIAM BLATHWAYT
JOHN POLLEXFEN
MAT: PRIOR.

17. July 1706

Lord Cornbury to the Lords of Trade.

[New-York Entries, B. F. 483.]

To the Right Hon^ble^ the Lords Commissioners for Trade and Plantations.

My Lords,

Your Lord^pps^ letter of July the 18^th^ is come safe to my hands — By the first Clause of that letter, I perceive that you expect to hear from me what has been the effect of the suspension of execution of Her Majesty's proclamation, relating to the coin, which as your Lord^pps^ are pleased to observe I was obliged to, by the necessity of the affairs and Trade of this Colony; and the only effect I can acquaint you with, is, that this Colony has by that means had money enough circulating in it to carry on the Trade of the province, which otherwise would not have been; I must confess that the money we have is very bad, and that is chiefly the fault of the Assembly of this Province and that thus: the people of Boston in New England have a much greater Trade to Old England then the people of New York, by reason whereof, they have much greater quantities of European goods then our people have, and much more then they can consume; they send great quantities of European goods in their sloops to this place, here they sell their goods for ready money and good money, this money they clipp at Boston to a third part less in value then it was when they receive it, and send it back hither to buy our corn in grain (for they seldom take flour) by this means they are able to sell flour made of our own corn in the Islands chéaper than we can; this I have endevoured to prevail with the Assembly to prevent by an additional duty laying on all European commodities imported into this place but from England, but they have not been willing to doe it yet. As for the account of Stores of war, I did send to the office of Ordnance by the Jamaica Fleet, an account of all the Stores expended here since I come to this province; I sent your Lord^pps^ the like account by the way of Jamaica, and now I send an account of what Stores are remaining here, by which you will see that we want almost every thing.

Your Lord^pps^ are pleased to observe that I could not legally and properly by my Instructions, admit M^r^ Mompesson, M^r^ Barbarie and M^r^ Philips into the Council, without Her Maj^tie^ previous appoint^t^ which I acknowledge, and ask Her Majesty's pardon for it, but at the same time intreat you to believe that I should not have done it, had not the Queen's service in a great measure required it; for by my Instructions, I am directed not to Act anything in Council, without five of the Council, unless it be in cases of emergency — Now, when I added those three Gentlemen to the Council, there was then Members of the Council living: Coll: Schuyler, M^r^ Van Dam, M^r^ Beckman, M^r^ Lawrence, Coll: Heathcote, Coll: Romer, Coll: Wenham, and M^r^ Renslaer, of those there are only M^r^ Van Dam and Coll: Wenham livers in Town, Coll: Schuyler and M^r^ Renslaer live at Albany M^r^ Beckman and M^r^ Lawrence live in Long Island, Coll: Heathcote lives in West Chester County and Coll: Romer has been at Boston almost four years, so that I could be sure but of two Counsellors in winter time, let the exigency be what it would; for those at Albany can not come in the Winter, those on Long Island are under as great difficultys for some times for a month or six weeks together, it is impossible to cross from this City to Long Island; Coll: Heathcote is under the same difficulty sometimes, and this I doe assure your Lord^pps^ is the only reason that móved me to admit those three gentlemen into the Council. — I return my most humble thanks to your Lord^pps^, for your kindness to me in representing that Matter favourably to the Queen; I will

take care not to commit the like error again; I herewith send a list of 12 persons, whom I look upon to be the fittest persons to serve Her Majesty in her Council for this Province. And now I must acquaint you, that I have been forced to dismiss Mr William Lawrence from the Council, after having borne with him upwards of three years, in many irregularities, and particularly one time having had a complaint against him for assaulting a Man upon a highway, I sent for him, and told him if he would not cease committing those irregular proceedings (of which I reckoned up several that he had been guilty of) I should be forced to remove him, he promised he would amend his ways, but instead of that in a few weeks, I had a complaint by some of the Justices of Queen's County where he lives, that he and some other persons moved by him had commited a Riot, and desired leave to proceed against him at Law. I acquainted the Council with this complaint against Mr Lawrence, who were all of opinion, that he ought to be dismissed from the Council, and indeed I was of the same opinion, being well satisfyed that he is in no wise fit to serve Her Majesty in that place nor indeed in noe other, therefore I did dismiss him and ordered the Secretary Mr Clark to make an Entry in the Council Books accordingly, which he has done. I intreat your Lordpps that Coll: Peartree may be admitted into the Councill in the room of Mr Lawrence, whose suspension I hope the Queen will be graciously pleased to approve of. I likewise intreat your Lordpps that Coll: Quary may either come into the Council for the province of New York in the room of Coll: Romer, who has quite left this province, or be added to the number of twelve, as he is in the province of New Jersey. All the Journals of the Assembly and the minutes of Council since my coming into this province, are transcribing in order to send to your Lordpps; they would have been ready by this time, but Mr Cozens who was formerly Clerk of the Council, has been a great while at Rhode Island upon his own affairs is but few days agoe returned to this place and is hard at work upon them; soe I hope in a short time they will be finished, and shall be sent by the first conveyance that offers. In the mean time I remain with great respect—My Lords ettc

10. Augst 1706. CORNBURY.

Lord Cornbury to the Lords of Trade.

[New-York Papers, B. F. 490.]

To the Right Honble the Lords Commissrs for Trade and Plantations.

My Lords

On the 22nd of August last I received from Coll: Quary Your Lordpps letters of the 18th of July 1705 the 28th of Novr 1705 two letters of the fourth of Febry 170$\frac{5}{6}$ and one from Mr Popple of the 9th of Febry 170$\frac{5}{6}$. In the first of those letters your Lordpps are pleased to say, that you expect to hear from me what has been the Effect of the suspension of the execution of Her Majestys Proclamation relating to the coin. In answer to which I herewith send a duplicate of a letter I wrote to Your Lordpps by the way of Jamaica bearing date the 10th day of August last which I hope came safe to your hands. in your letter of the 28th of November 1705 you are pleased to direct me to send Your Lordpps an account of what pay is due to the Revd Mr

Mott,[1] late Chaplain to Her Majᵗʸ's forces here, and what effects he has left in the Country. As for effects, he has left some books of which I herewith send a Catalogue and a very few cloths not worth in all six pounds, a silver seal, a silver headed cane, and some other trifles all mentioned at the foot of the inventory; I will likewise send you the appraisement of the whole and wait your Lordᵖᵖˢ further directions before any thing is disposed of; and upon this occasion I must observe, that in the 63ʳᵈ Clause of my Instructions, the Queen is pleased to reserve the probats of Wills, and the power of granting of Administrations to me; and this observation I make not only because it seems to be an enchroachment upon the power granted to me by Her Majesty's letters Pattents under the great seal of England, but because of the many inconveniencys which must attend such a method of proceedings; for example: a man dyes in New York intestate; before he comes to New York he contracts several debts in England, afterwards he contracts several debts in New York, the creditors in England hearing of the death of the party obtain letters of Administration in England, the Creditors at New York much sooner obtain letters of Administration from the Governor of New York and by virtue of those letters of Administration they dispose of the effects of the deceased; a considerable time after that the Administration granted in England is brought to New York by some impower'd to act for the Creditors in England; this puts a necessity upon the Governor, either of not granting any letters of Administration, at all (not knowing if they are granted in England or not) or else of disallowing the letters of Administration granted in England, which I would not willingly do; therefore I intreat your Lordᵖᵖˢ consideration of this Matter. Mʳ Mott did owe several sums of money in this place, which if not paid out of such effects as he has left here, no person coming from England must expect any credit here, besides if letters of Administration granted in England must take place here, it will cause great difficulty's among Trading Men, for Men will be very cautious how they part with their goods, upon credit, because it is not very easy to know what debts a Man may have contracted in England.

In your Lordᵖᵖˢ letter of the 4ᵗʰ Febrʸ 170$\frac{5}{6}$. relating to New York, you are pleased to say that you have not received my letters of the 6ᵗʰ of November—I am sorry for it, and shall observe your directions in sending duplicates by different conveyances, and I am affraid that more of my letters are lost, because by the Master of a Sloop come in last night from Barbadoes, I am inform'd that two sloops belonging to this Port going to Jamaica, are taken by the French, and indeed the conveyance by the way of the West Indies has hitherto proved very uncertain with respect to these Colonys upon the Continent.—

Your Lordᵖᵖˢ are pleased, to say, you have considered what I have acquainted you with, upon the Bill for raising 1700£. I am very glad to see what has been your opinion upon that matter, and I have obeyed your Commands in acquainting the Assembly with the method they must follow, in the passing of Money Bills for the raising extraordinary supplies for particular uses. I have also acquainted them, that the Queen expects they should provide towards their own security, by giving necessary funds for furnishing the Inhabitants with Arms ettc—they are now sitting and I hope will comply.—Your Lordᵖᵖˢ are pleased to say, that you hope no occasion has been given by the Governᵗ for any unjust diffidence, and that I have and will lay

[1] Reverend Edmund Mott seems to have succeeded the Rev. Mr. Brisac as chaplain to the forces at New-York. He was interested originally in what is called the Minisink purchase, but having died in July, 1704, previous to the issue of the Patent, his name was dropped, and that of George Clarke inserted in the grant. On his death, his place was offered to the Rev. John Talbot of Burlington, N. J., and on that gentleman declining, it was given to the Rev. John Sharp of Cheesquakes, N. J. *Collections of Protestant Episcopal Society*, I., xvii, 56, 58; *New-York Council Minutes*, IX., 470; *Licenses and Warrants*, VI., 62, 65; *Book of Commissions*, III., 95.

before them, an account of all moneys raised by Acts of Assembly, whenever they shall desire the same. In answer to this I take the liberty to acquaint Your Lord^{pps}, that whenever they have desired an Account, they have had it, and if you are pleased to direct M^{r} Popple to look into the Journals of the Assembly, which I have constantly sent to you, you will find that they did demand an account of the 1800£ tax, and they had it. I must observe to your Lord^{pps}, that there has been but four money Bills past, since I came to this Govern^{t}. The first was for the raising of 2000£ which the Country made me a present of, and which the Queen was graciously pleased to confirm. The second was for the raising 1800£ for the defence of the Frontiers the Winter of 170$\frac{2}{3}$. The third for the raising of 1500£ for Fortifying the Narrows, and the 4th for the raising of £1300 for the defence of the frontiers the Winter of 170$\frac{3}{4}$. Since that have no money Bills past. I wish the Assembly here may be convinced how reasonable a thing it is, that they should raise funds for the providing Arms and Ammunition, for the defence of the Country, but I much fear it; however, I shall make use of the most moderate and perswasive means I can to induce them to it.

I hope to get all the minutes of Council and Assembly, ready by this conveyance, but if not I will send them by the way of the West Indies; During the long sickness of my Wife (whom it has pleased God to take to himself)[1] the Clerks have been very negligent, because I could not call upon them myself so often as I would otherwise have done; but now I will keep a steady hand over them till they have finished.

The two Frigates your Lord^{pps} are pleased to mention viz^{t} the Lovestaff and the Triton's Prize are both here, and are ships fit for the service for which they are sent. Capt^{n} Fane has behaved himself very well since his coming into this Port, and has kept his men in very good order, and not many have deserted as yet; but I can not say the same for Capt^{n} Miles, for he has used his men so ill, that in three Months above forty of his Men deserted, and when some of those who remained were asked what was the reason their comrades ran away so fast, they said it was, the ill usage they had from their Capt^{n} that forced them to it particularly in giving them ill provisions. And indeed when the two ships lay in Kip's Bay, where the Queen's ships always lye in Winter, Capt^{n} Fane took care his Men should have fresh Meat, but Capt^{n} Miles's Men had none, but were kept to their salt provisions brought from England—And now I am upon this subject, I must acquaint your Lordpp^{s} with a practice Capt^{n} Miles has used here, and which came very lately to my knowledge, which is thus: The Capt^{n} (upon my telling him he should Cruise in a short time) told me that he wanted forty Men. Thereupon I gave him a Warrant, to press Men out of the vessells that should come from Sea for a certain time limited; he does press Men, but afterwards for certain considerations disposes of some of them to some Merchantmen then going out from this Port. Upon another occasion he dismissed one of his Midshipmen, and that man went out Master of a Sloop from this place, and still goes on pressing, which if suffered, will at last be the ruin of this place, and I know but one effectual way of preventing it, and that is: that his Royall Highness Mylord High Admirall would be pleased either to appoint a Clerke of the Cheque in this Port or else to

[1] Katherine, Lady Cornbury, was daughter of Lord O'Brian, son of the Earl of Richmond, of Ireland, and of Lady Katherine Stuart, sister of the Duke of Richmond and Lenox. She was married to Lord Cornbury on the 10th of July, 1688, and on the death of her mother, Lady O'Brian, became Baroness Clifton, of Leighton Bromswold, Warwickshire, England. By her marriage with Lord Cornbury she had seven children, of whom only one son and two daughters survived their mother. She died at half-past eleven o'clock on the night of Sunday, August 11th, 1706, in the 34th year of her age, and was interred on the 13th of the same month, in Trinity Church, New-York. *Dr. Sharp's Sermon at the Funeral of the Rt. Hon. Lady Cornbury*, p. 14, 15.

impower the Governor to muster the Men belonging to Her Majesties ships of war in this province by this means as soon as a ship has her complm^{t}, the press will cease, and the Merchants will be able to Man their vessells. And indeed I do not find but the people are very willing, the Queen should be served, but they think it very hard, that the Men must be pressed under pretence of the Queen's service, when indeed there is noe need of it; I hope your Lord^{pps} will be pleased to represent this matter in such a manner, that this evil may be remedied. I must further acquaint you, that Capt^{n} Miles at his first coming into this Port (which was late in the year) he applyed to me for orders to lay up the ship, and after the Winter was over, he came to me for orders to bring the ship down into the Road, and afterwards came to me for orders to press, but when his ship was fit to sail, and I sent him his sailing orders, he sent me word he could not obey my orders; I sent for him, and asked him what he meant by saying, he could not obey my Orders, he told me he had an order from the Prince to follow such orders and directions as he should receive from Capt^{n} Fane—I told him if he had any such order, he had done very ill not to acquaint me with that sooner, and that he should not have applyed to me for the former Orders as he had done; I asked to see the Order, and he shewed to me, I desired him to leave it with me, that I might take a copy of it, he said he wouldsend one, but has not done it to this day. Upon his refusing to obey the orders I sent him, I ordered Capt^{n} Fane to Cruise, which he did and I did not intend to send any more Orders to Capt^{n} Miles, till I had an answer from M^{r} Burchett, to whom I wrote to desire him to acquaint His Royall Highness with this Matter, and to desire that I might receive his directions how to behave myself for the future with respect to Her Maj^{tys} ships of War appointed to attend this Port, and this I desire the rather because in the 51st Clause of Her Majesty's Instructions to me it is said: that with other powers of Vice-Admiralty, I shall receive Authority from His Royall Highness upon the refusal or neglect of any Capt^{n} or Commander of any of Her Majesty's ships of War, to execute the written orders, he shall receive from me for Her Majestys service and the service of the province under my Govern^{t}, or upon his negligent or undue execution thereof, to suspend him such Capt^{n} or Commander from the exercise of his said Office of Capt^{n} ettc. but as yet I have received no such directions, so have forborne doing against Capt^{n} Miles; but in a short time after Capt^{n} Fane was gone out I received Advice from the West Indies that Mons^{r} D'Iberville with a squadron of French Men of War under his command, had burnt S^{t} Christophers, and that he intended to attack some other of the Islands, and then intended to destroy this place in his return to old France. The same accounts came to several of the Merchants of this City from their correspondents, and particularly from S^{t} Thomas's one M^{r} Screvrier a French Merch^{t} wrote to M^{r} de Lancey one of our Merchants here that he had been on board Mons^{r} D'Iberville, and that he had all the reason in the world to believe, that he intended to attempt this place; the people here were so much the more easily perswaded of the truth of this Report because in the year 1701. M^{r} D'Iberville came into Sandy Hook with a ship of 50. guns and pressed a Man in East New Jersey to pilot his ship up to a place called the Watering place, which [is] near Staten Island within a sight of this City, and about nine miles from it, he lay there between a Month and six weeks and sounded all the Bay, and the River from the point of the fort of Sandy hook, without Capt^{n} Nanfan's taking any notice of it, so that he is perfectly well acquainted with this Port. These Reports encreasing by every vessell that came from the West Indies, the People here begun to be very uneasy, and full of apprehensions of the danger they were in, considering the Fort was out of repair, the City quite open having noe manner of Fortifications about it and almost all the guns dismounted and the carriages of

the rest rotten; so most of the considerable Merchants in Town joyned with the Mayor and Aldermen in a Petition to me, in which they desire that I would give directions for Fortifying the City, and for Mounting the Guns. Upon this I called the Council I acquainted them with the Petition I had received and desired their advice, who told me that the best way would be to encourage subscriptions for the advancing Money to carry on the work, till the Assembly. (which stood then prorogued to the twelfth of November) could be got together; upon this I desired the Gentlemen of the Council to appoint a meeting with the Merchants at the City Hall which was accordingly done and subscriptions taken to a considerable value and some money paid down into the hands of four Merchants of this City, who were appointed to receive and pay out the money that should be received upon those subscriptions. The four were Coll: D'Peyster Capt Lurting Captn Reed and Captn Provoost, upon this I immediately wrote to Boston, to Capt: Redknap, Her Majesty's Engeneer to desire him to make what haste he could to this place, that we might have his directions and assistance in putting ourselves into a posture of defence; as soon as he received my letter he acquainted Coll: Dudley with it and desired he might have leave to set forward immediately towards New York. Coll: Dudley acquainted the Gentlemen of Her Majesty's Council for the Massachusets Bay with it, and they were of opinion that Captn Redknap ought not to be permitted to goe till he had finished some works that were begun there, so that we were deprived of that Gentleman's assistance, though not by his fault, who was very ready to come. Upon this people begun again to be very uneasy and pressed me again to give directions for the Fortifying the City which I did, and in few days we ran a line of Stockadoes from the North River to the East River, which is about 45 chain, and raised a good Brestwork not only there, but along the River side; we have raised three Batteries upon the East River one of two and twenty guns, one seaven guns and one of eight guns; three Batteries on the North River, one of nine Guns, one of five guns and one of three Guns, and one Battery upon a point of Rock under the Fort of eleven guns. We had not guns enough of the Queen's to supply all these Batterys but the City have borrowed 18 guns out of a Scotch Ship which lay at Amboy, and some Merchants here who have some few guns for sale, have likewise lent them. I thought this a favourable opportunity to get the Fort repaired, which stood in great need of it, and I have got the walls repaired every where; the Parrapet (which is of sodd work) all new done and all the gunns that wanted carriages, new mounted and others repaired, so that now I have six and forty guns mounted upon the walls and the Courtines and Bastions of the Fort in as good repair as they can be without New building. Upon this occasion notwithstanding my former resolution of sending no more orders to Captn Miles, I did send him an order, to fall down to Sandy hook with the ship under his command, to remain there till Captn Fane came in and then to proceed upon his cruise, this Order he thought fit to obey and so has continued doing, till a few days agoe, that he came in from cruising and send me word that he was at Sandy hook, that the ship had received some damage, and that it was not safe for the ship to ride there in the condition she was in. I immediately sent him an order to bring the ship into the harbour, but this order he would not obey. I doe not write this to your Lordpps as a complaint against Captn Miles, but only to let you see, what difficulties sometimes I meet with, with some of the Gentlemen that have the honour to command the Queens ships, and to desire that I may have directions, how to proceed in cases of the like nature. The New seal for this province came safe to my hands and I herewith send Your Lordpps the old one broken according to your directions—I am with great respect

My Lords—ettc.

3 October 1706. CORNBURY.

Lord Cornbury to the Lords of Trade.

[New-York Entries, G. 319.]

To the Right Hon^ble^ the Lords Commiss^rs^ for Trade & Plantations.

My Lords.

I trouble Your Lord^ps^ with these lines to acquaint you that on the 17^th^ of January 170$\frac{5}{6}$ a man of this town one Jackson came to acquaint me that two Ministers were come to town; one from Virginia, and one from Maryland, and that they desired to know when they might speak with me; I being willing to shew what Civillity I cou'd to men of that character, ordered my man to tell Jackson that they should be well come to come to dine with me; They came, and then I found by the Answers they gave to the questions I asked them, that one, whose name is Francis Mackensie,[1] is a Presbyterian Preacher settled in Virginia; the other, whose name is John Hampton, is a young Presbyterian Minister lately come to settle in Maryland; They Dined with me, and talked of indifferent things: They pretended they were going towards Boston; they did not say one syllable to me of preaching here, nor did not ask leave to do it; They applied themselves to the Dutch Minister, for leave to preach in the Dutch Church in this Town, who told them he was very willing, provided they cou'd get my consent; They never came to me for it; They went likewise to the Elders of the French Church, to desire leave to preach in the French Church, they gave them the same Answer the Dutch had; all this while they never applyed themselves to me for leave, nor did they offer to qualify themselves as the Law directs; but on the Monday following I was informed that Mackensie had preached on the day before at the House of one Jackson, a Shoemaker in this town, and that Hampton had preached on Long Island, and that Mackensie after having preached here on Sunday was gone over to Long Island with intent to preach in all the towns in that Island, having spread a Report thereto, that they had a Commission from the Queen, to preach all along this Continent; I was informed on the same day from New Jersey, that the same men had preached in several places in that Province, and had ordained after their manner some Young men, who had preached without it among the Dissenters; And that when they were asked, if they had leave from the Governm^t^ they said they had no need of leave from any Governor, they had the Queen's Authority for what they Did; These Reports and the Information I had from Long Island, of their behaviour there, induced me to send an order to the Sherif of Queen's County on Long Island,[2] to bring them to this place, which he did on the 23^d^ day of January in the Evening; The Attorney General[3] was with me; I asked Mackensie how he came to preach in this Government, without acquainting me with it, and without qualifying himself as the Law Requires; he told me had qualified himself according to law in Virginia, and that having so done, he wou'd preach in any part of the Queen's Dominions where he pleased, that this Province is part of the Queens Dominions as well as Virginia, and that the License he had obtained there was as good as any he cou'd obtain here; I told him that Virginia was part of the Queen's Dominions as well as this Province, but that they are two different Governments; That no Order or Law of that Province can take place in this, no more

[1] Mackemie.

[2] Thomas Cardale.

[3] May Bickley, Esq., succeeded Mr. Broughton as Attorney-General, on the 3d of March, 1706. He seems to have performed the duties of the office until 1712. He was rather remarkable, says Smith, for a voluble tongue, than a penetrating head or much learning. — Ed.

than any order or Law of this Province can take place in that, which no reasonable Man wou'd imagine cou'd be allowed; he told me he understood the Law, as well as any man, and that he was satisfied he had not offended against the law, That the Penal Laws of England, did not extend to and were not in force in America; to which the Attorney General replyed, that if the Penal Laws did not take place in America, neither did the Act of Toleration, nor is it proper, said he, that it shou'd, since the latter is no more than a Suspension of the former; Mackensie said that the Queen granted liberty of Conscience to all Her Subjects without Reserve, I told him he was so far in the Right, that the Queen was graciously pleased to grant liberty of Conscience to all her Subjects except Papists, that he might be a Papist for all that I knew, under the pretence of being of another perswasion, that therefore it was necessary he shou'd have satisfyed the Governm^{t} what he was, before he ventured to Preach; Upon that he told me, that he wou'd quallify himself in any manner, and wou'd settle in this Province; I told him when ever any of the people of either of the Provinces under my Governm^{t} had Desired leave to call a minister of their own Perswasion, they had never been Denyed it, but that I shou'd be very cautious how I allow'd a man so prone to bid Defiance to Governm^{t} as I found he was; He said he had done nothing that he cou'd not answer, so I ordered the High Sherif of this City to take them into his Custody, And I directed the Attorny General to proceed against them, according as the law directs; which he has done by preferring an Indictment against Mackensie for preaching in this City without Qualifying himself, as the Act of Toleration directs; The Grand Jury found the Bill, but the Petty Jury acquitted him, so he is gone towards New England uttering many severe threats against me;[1] As I hope that I have done nothing in this matter but what I was in duty obliged to do, especially since I think it is very plain by the Act of Tolleration, it was not intended to tollerate or allow strowling Preachers; But only that those persons who dissent from the Church of England should be at liberty to serve God after their own way, in the several places of their abode, without being lyable to the Penalties of certain laws; so I Intreat your Lord$^{p^s}$ protection against this malicious man, who is well known in Virginia and Maryland to be a Disturber of the Peace and quiet of all the places he comes into; he is Jack of all Trades, he is a Preacher, a Doctor of Physick, a Merchant, an Attorney, or Counsellor at Law, and, which is worse of all, a Disturber of Governments; I shou'd have sent your Lord^{ps} this account sooner, but that I was willing to see the Issue of the Tryal. I am, My Lords,

Your Lord^{ps} most faithful humb: Serv^{t}

New York
Oct^{r} 14th 1706:

CORNBURY.

[1] Rev. FRANCIS MCKEMIE, who is said to have been the first Presbyterian clergyman in New-York, was a native of Ireland, and appears to have officiated in the West Indies about the year 1698, 9. In the year 1700 he was sent out by a respectable body of Dissenters in the city of London, to America, and fixed his habitation on the peninsula between the Delaware and Chesapeake Bays, in the county of Accomack, Virginia, very near the Maryland line. While there, he had already been arrested, it is said through the influence of the Episcopal clergy, and carried over the Bay to Williamsburgh, to answer for the crime of preaching. But the result was that he conciliated the Governor, who gave him a general license to preach in the Dominion. After his difficulty in New-York, he narrowly escaped a second prosecution, for preaching another sermon, with a new charge, as some say, of being the author of the Jersey paper called Forget and Forgive. His name is affixed in the catalogues to a Tract entitled,—Truths in a True Light; or a Pastoral Letter to the Reformed Protestants in Barbados. 16mo. Edinburgh, 1699. He published another Pamphlet in Virginia, in reply to an Errorist who had charged him with denying the influences of the Holy Spirit. A formal report of his trial was published in 1707, under the title of "A Narrative of a new and unusual American Imprisonment of two Presbyterian Ministers and prosecution of Mr. Francis McKemie, one of them, for preaching one sermon in the city of New-York." It is republished at length in Col. Force's *Historical Tracts*, IV. iv., from which, and from Miller's *Life of the Rev. Dr. Rodgers*, the above particulars are mainly obtained. Mr. McKemie was a man of eminent piety as well as of strong intellectual powers. —ED.

The Queen to Lord Cornbury.

[New-York Entries, B. F. 480.]

ANNE R.

Right Trusty and Welbeloved, We greet you well. Whereas a representation has been humbly made unto us by our Commiss^rs for Trade & Plantations, upon an Act lately passed in Our Island of Barbadoes, entituled: "An Act to supply the want of Cash and to establish a method of credit for persons having real Estates in this Island" which being very prejudicial to our subjects in the Course of their trade, as forcing them to receive Bills instead of money, in satisfaction of all debts and contracts whatsoever; Wee have thought fit to disallow and repeal the same; and taking notice of several ill consequences of passing Bills of an unusual and extraordinary nature and importance in Our plantations, which Bills remain in force there, from the time of enacting, until our pleasure be signifyed to the Contrary; We do hereby will and require you, not to pass or give your consent hereafter to any Bill or Bills in the Assembly of our province of New York under your Govern^t, of unusual and extraordinary nature and importance, wherein our prerogative or property of our subjects may be prejudiced, without having either first transmitted unto us the Draught of such a Bill or Bills, and our having signifyed our Royal pleasure thereupon; and that you take care in the passing of any Act, of an unusual and extraordinary nature, that there be a Clause inserted therein suspending and deferring the execution thereof, until Our pleasure be known concerning the said Act, to the end, our prerogative may not suffer, and that our subjects may not have reason to complain of hardships put upon them on the like occasions; so we bid you heartily farewell. Given at Our Court at Kensington the 8^th day of November 1706 in the fifth year of our Reign.—

Mr. Burchett, Secretary of the Admiralty, to Secretary Popple.

[New-York Entries, B. F. 512.]

To M^r Popple.

Sir,

I have received your letter of the sixth inst: in which is the copy of Mylord Cornbury Gov^r of New York his complaint against Capt^n Miles of the Tryton's prize not only for impressing Men and discharging them again irregularly, but refusing to obey his Lorp^p's orders. In answer thereunto, I do acquaint you that the first part of the complaint will be strictly inquired into when the ship comes to England, and I have not only writ to Capt: Miles not to be guilty of such irregularities for the future but also let him know how he has misconstrued his instructions, and that although they directed him to follow the orders of Capt^n Fane of the Lowestoffe, yet both ships being put under the immediate directions of the Govern^r he ought to have obeyed the commands of His Lord^p. But as to the letter which his Lordship says, he has writ to me relating to this matter, it is not yet come to my hands. I am—Sir—Your—etc.

10. Dec. 1706. J BURCHETT.—

I send you herewith a copy of my letter to Capt^n Miles, that (if you think fit) it may be transmitted to My Lord Cornbury.

Mr. Burchett, Secretary of the Admiralty, to Captain Miles.

[New-York Entries, B. F. 513.]

Admiralty Office December 10. 1706.

Sir,

I have lately received a letter from you by which you seem to be apprehensive, that Mylord Cornbury Gov^r of New York would make a complaint against you, for not obeying his orders, and indeed you had very good reason to be under such an apprehension; for although the Prince's Instructions to you, directed you to follow the orders of the Capt^n: of the Lowestoffe Capt^n Fane, for attending on the Island of New York, yet even he was ordered to follow the Gov^rs orders, and 'tis strange that you should think you was not to do the like. My Lord Cornbury has not only made this complaint against you, but also that you have frequently impressed Men very irregularly and discharged them as irregularly. The Prince is very much displeased at these proceedings of yours, and as they will be stricktly enquired into when you come to England, soe let me admonish you to be more circumspect for the future. I am — Sir — Your humble servant.

J Burchett.

To Capt^n Miles of the Tryton Prize at New York.

Lord Cornbury to the Lords of Trade.

[New-York Entries, G. 26.]

To the Right Hon^ble the Lords Commiss^rs for Trade & Plantations.

My Lords,

Since my letter of the 3^d of October in which among other things I gave Your Lord^ps an account of Capt^n Miles' behaviour (who was Commander of Her Majesty's ship Triton's Prize) that poor Gentleman is dead: he died on the 20^th of October after four days' illness; His Lieut^t one M^r Wilcox came & acquainted me with it; I order him immediately to go on Board the Triton's Prize and take care of the Ship, all things relating to it, 'till His Royall Highness' Pleasure should be known; and I told him I would write into England to M^r Burchett, to desire him to acquaint the Prince with the death of Capt: Miles, which I did immediately, by a Letter I sent by a Sloop which was going from this Port to Jamaica; M^r Wilcox did not go on Board immediately as I had order'd him, and in the mean time Capt. Fane sends his own Lieut^t one Davis, to take Possession of the Triton's Prize, and grants him a Commission to command that Ship, reciting an Authority from His Royal Highness My Lord High Admiral for so doing, of which I send Your Lord^ps a copy. Upon this I sent for Capt: Fane, and asked him by what authority he pretended to grant Comiss^ns here, and particularly I asked him if he had any particular order, power or instruction from the Prince to do it, he told me he had; I asked him to see them, then he told me indeed he had no particular Instruction to that purpose, but that Capt. Miles had brought an order from the Prince directing him the said Capt. Miles to follow such orders as he shou'd receive from

him the said Captn Fane, and that by Virtue of that Order he wou'd dispose of the command of that Ship; I told him that unless he cou'd shew me a Power from His Royal Highness to impower him to grant Commissns the command of that Ship should go according to the Queen's Instructions to me, and his Royall Highness' Printed orders; Capt: Fane was very uneasy, but did not say much then; The next morning I was obliged to go to Amboy to meet the Assembly of New Jersey; At my return I found that Captn Fane had put his Lieutent in possession of the Triton's Prize, and had confined Wilcox on board, who was Lieutenant to Captn Miles, and ought to have the command of the Ship 'till the Prince's pleasure was known; Being informed that Wilcox was confin'd, I sent a written order for him to appear before me; this Order was delivered to him by one Huddleston who has made Oath of the Delivery of it, of which Affidavit I herewith send Your Lordps a copy, as likewise a Copy of an Affidavit made by Wilcock's wife who was present; By Mrs Wilcock's Deposition you will see that Davis took my order from Wilcox, and presently afterwards forced him away from the Triton's Prize, and sent him on board of the Lowestaffe; The next morning I was inform'd of this Violence and sent for Captn Fane to come to me, that I might know the meaning of that proceeding, but he was gone from his Lodgings and was got on board the Lowestaffe where he has remained ever since. Now I must acquaint Your Lops that the Lowestaffe lay ready to sail for Barbadoes to convoy some Vessells that lay ready to sail for that Port, upon this I sent an order to Captn Fane in writing to send Lieutent Wilcocks on shoar to me; this order he refus'd to obey as you will perceive by a copy of an Affidavit made by the person who carried my order to him. The next day I sent him another positive order to send Lieutent Wilcocks on shoar: this order he likewise refus'd to obey, as will appear by the copy of another Affidavit I I send your Lordps; The next day Captn Fane sailed to the Watering Place and carried Wilcocks with him, and I cou'd find no way to compel him to obey orders but firing upon the Queen's ship which I did not think proper to do, thô it is certain I cou'd have sunck the Ship, for I have from the Fort and the Batteries of the Town Eight and Thirty Guns that bear upon one point at the same time, so that indeed no Ship can go out or come into the Harbour but must be tore to pieces; However I thought it more proper to forbear that, and to acquaint Your Lordps with this matter, and intreat you, as I do, that I may have some Instructions how to behave myself with respect to the commanders of the Queen's Ships, some of which think themselves under no manner of controul, but beleive they may do what they please.—When first I came to this Province Captn Caldwel had his Station here, who then commanded Her Majesty's Ship Advice; That gentleman, by his good behaviour here, had the good word of every body in the place; Captn Stapleton who commanded Her Majesty's Ship Jersey had the same good luck, and if he had liv'd, I don't question but all things would have been easy. Captn Fane at his first coming to this place behaved himself very well, and I may say with truth that he has received more civility in this place than any Captain that ever came into this place, both from myself and from the merchants here; But now within these three or four months he has acted as if he had a mind to fall out with every body; As soon as I had left this city to go into New Jersey he took away all the carpenters that were at work on Board of a Privateer which some of our Merchants had fitted out last year, and were fitting out againe this year, under pretence that he wanted some work to be done on board the Lowestaffe; Now upon all other occasions he used to apply to me for Carpenters, and I always took care he had as many as he wanted, without hindring the Merchants' business; but in this case I beleive the Design he had of oversetting the Voyage that ship was intended for, was the

reason he did not apply to me before I went; That he had such a design appears pretty plain for upon the Application the Merchants made to me I granted them a Protection for some men they had occasion for, to work on board their ship, and who wou'd not venture without it. Some of Capt^{n} Fane's Officers met one of those men on an outward bound Sloop, and pressed him and carried him on Board the Lowestaffe, notwithstanding the fellow shewed them my protection, At my return the Merchants complained to me of this Violence, I immediately sent an order to Capt^{n} Fane to discharge that man, but he, instead of that, put him in irons, and so kept him 'till the day which he sail'd, and then sent him on shoar; however this has so frighten'd the rest of them that I beleive the Merchants will not be able to send their Ships out this Winter, which will be a very considerable loss to them; This Gentleman has likewise press'd some Country people who were going out a fishing, so that at last People were afraid of coming to Market, either from New Jersey or Long Island (from whence they must come in boats) for fear of being pressed. Now I have acquainted Your Lord^{ps} with some of the Irregularities committed by Capt^{n} Fane, give me leave to observe, that unless I may have directions from His Royall Highness My Lord High Admirall, how to proceed in the like cases, no man can be safe in his house, for a Cap^{n} of a Man of War may in the night time take any Merchant here out of his house, put him into his Boat, and carry him on board his Ship, and keep on Board himself, 'till he has a fair wind for sailing, then carry him where he pleases; The Governor may send as many Orders as he pleases the Captain will not obey them, and the Governor has no way to make his orders be obey'd but firing upon the Queen's ship, which I did not think fitt to do. I did in my letter of the 3^{d} of October acquaint Yo^{r} Lord^{ps} that by the 51st Clause in my Instructions from Her Majesty, I am directed in case any Capt^{n} or Commander of any of Her Majesty's Ships of war shall refuse to obey the written Orders he shall receive from me or shall negligently or unduly execute the same, to suspend the said Captain or Commander from the exercise of his said Office of Capt^{n} or Command^{r} and to commit him into safe custody, either on board his own Ship or elsewhere, at my discretion, &^{a} But at the end of the same clause I am directed not to exercise the power of suspending any such Capt^{n} or Commander, otherwise than by virtue of a Commission or Authority from My Lord High Admiral, which I have not yet received; I did in that letter likewise request yo^{r} Lord^{ps} that I might have some Directions how I shou'd proceed with respect to the Commanders of Men of war; I renew the same request now, I only desire to know what I am to do, and I will take care to observe punctually such Directions as I shall receive; And I hope that as I am directed to treat the Captains of Her Majesty's ships of War civilly, so they may be obliged to return the like Civil behaviour, and that they may not be allowed to say over their cups that they do'nt care a farthing for the Governor, nor the Government, that they will do what they please, and will press whom and when they please; These and the like Discourses have frequently come from Capt^{n} Fane of late; many other things I could say but am not willing to trouble you too long upon this Subject, only again beg I may receive Instructions how to Act for the future.

I must now acquaint your Lord^{ps} that I sent an order to Davis, who Capt^{n} Fane had appointed to command the Triton's Prize, to deliver the said ship to Lieutent Wilcocks, to whom by the Prince's printed Instructions the command of her does of right belong, but he refused to obey that Order, as will appear to your Lord^{ps} by the copies of the Affidavits I herewith send; After that I sent an order to him to appear before me, this Order he likewise refused to obey; then I sent a Warrant by the Messenger of the Council to bring him before

me, but the Messenger cou'd not meet with him, till he went on board the Triton's Prize, he shewed him his Warrant, but Davis said he would not submit, but would dye upon the ship unless I wou'd go myself, or Words to that effect; Upon this I sent a party of Soldiers from the Fort to fetch him; he had said the day before that if I sent Soldiers he wou'd give them as warm a reception as ever they had in their lives, but he was better advised, for as soon as the Officer went on board and shew'd him my order he surrender'd himself; and being come to town he said if I would hear him he did not doubt but he should satisfy me upon all points, I told him it was his own fault that he was not heard sooner, for that the first time I had sent for him it was on purpose to hear what he had to say for his method of Proceeding, however I told him that I shou'd never refuse to hear any body, and accordingly I did hear him, What he offer'd was chiefly this, that he accepted of a Commission from Capt^{n} Fane because Capt^{n} Fane told him that he had power from the Prince so to do, that after he had taken possession of the Ship he came on shoar on purpose to come to me and acquaint me with the whole matter, but that meeting with Capt^{n} Fane by the way he had commanded him on Board and that what he had acted since he had done it by the advice of Capt^{n} Fane that he was ignorant of my Instructions from Her Majesty, else he shou'd not have done any thing in contradiction to them; he farther said that he never asked the Officers of the Ship if they wou'd stand by him, as is mentionod in M^{r} Wilcocks Affidavit, and indeed the rest of the Officers do say the same; Upon this order'd M^{r} Davis to return to the Ship, and take the command of her till the Prince's pleasure shou'd be known; Thus I hope it will plainly appear, that I had no Inclination to put Davis out, to put another in, nor indeed to meddle in that matter at all 'till I thought the Queen's instructions were contradicted; for If I had had a mind to intermeddle, I cou'd easily have granted a Commission to Wilcocks before Capt^{n} Fane cou'd have known of Capt^{n} Miles' death, but I did not think that I was sufficiently Impowered to grant Commissions; Therefore when Wilcocks came to me I gave him only a verbal order to take care of the Ship till the Princes' pleasure shou'd be known; however since this Matter has happen'd I intreat the favour of Your Lord^{ps} that I may have Directions how to act in the like Cases. I am with great respect My Lords, Your Lord^{ps}

New York
December 14th 1706

Most faithful hum. Serv^{t}
CORNBURY.

Owing to a mistake in making up Signature 124 in this Volume, the paging pp. 983, 984 is duplicated, and the page immediately preceding 1017 is, in consequence, incorrectly numbered 1014.

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